

# THE Hongkong Weekly Press

AND  
China Overland Trade Report.

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## DEATHS.

On 10th May 1908, at Dundee, Scotland, JARN, the dearly beloved mother of J. J. BLAKE. Age 64 years.

On the 17th May, at Sekondi, West Coast of Africa, WILLIAM CHARLES BLAKE, late I.M. Customs and dearly beloved brother of J. J. BLAKE. Age 43 years.

On Wednesday, June 24th, at Quarry Bay, Hongkong, HARRY, son of Mr. and Mrs. ARTHUR NILSSON, aged 13 months.

## Hongkong Weekly Press.

HONGKONG OFFICE: 10A, DES VŒUX ROAD CL.

LONDON OFFICE: 131, FLEET STREET, E.C.

## ARRIVAL OF MAILS.

The English Mail of 29th May and the Parcel Mails which closed in London for despatch by the all sea route on the 20th May and for despatch overland on 27th May arrived per s.s. *Devanha* on the 24th inst.

## FAR EASTERN NEWS.

The steamer *Hanping* launched by Messrs. Bailey and Company underwent its trial trip on June 20th.

A prisoner is reported to have escaped from Victoria Gaol on June 23rd. It is believed that he succeeded in dressing himself as an earth coolie and so made his way out.

The charitable institutions and the Chinese Chamber of Commerce of Canton have sent three urgent wires to the Tung Wah Hospital of Hongkong requesting the latter institution to issue appeals to the Chinese abroad for pecuniary assistance and to co-operate in the immediate relief of the sufferers from the calamitous inundation caused by the recent rains throughout the valleys of the north and west rivers. A meeting of the leading Chinese was called at the Tung Wah Hospital on Tuesday night to collect subscriptions to be remitted to Canton. At the request of the charitable institution of Canton, a large quantity of biscuits was sent up by the 10 o'clock boat on Tuesday night and the Tung Wah Hospital remitted \$10,000 from a reserve fund to the relief party. It is reported by the Chinese who have returned to the Colony that the suffering in the flooded districts on the present occasion is much more serious and distressing than what has previously been experienced.

## KULANGSU MUNICIPAL COUNCIL

Minutes of a special meeting of ratepayers, held at the Municipal Board Room, on the 16th June 1908

Present:—Messrs. Arnold, Barton, Bowra, Braun, Fenwick, Gettwaldt, Gotz, Howard, Kohler, Kruse, Lorrentzen, Reid, Macgowan, Dr. Merz, Nielsen, O'Brien-Butler, Okuyama, Revd. Nales, Wallace, Wilson, and Wyll. The Revd. Joseland, Revd. Sadler and others.

1 Dr. C. Merz, Consul for Germany and Senior Consul, was in the chair.

2 The SECRETARY read the notice convening the meeting.

3 Mr. WALLACE, Chairman of the Council, submitted the following resolution:—

"That all Opium Smoking Shops and Houses be closed within two months of the issue of a special Proclamation on the subject, which Proclamation will be issued immediately after its approval by the Consular Body."

The motion, seconded by the Revd. J. Macgowan, was put to the meeting and carried unanimously.

4. Mr. WALLACE then moved, seconded by Mr. Bowra, a resolution as follows:

"That a certain limited number of shops be licensed for the sale of prepared opium half these said shops to be closed by the 31st March 1909, and the remaining half by the 31st March 1910."

Mr. MACGOWAN.—How many shops is it proposed to license?

Mr. WALLACE.—Seventeen is the limit.

Mr. MACGOWAN, whilst thoroughly agreeing with the resolutions that the Council had so carefully drawn up, merely suggested that in licensing shops for the sale of prepared opium, the number seventeen that had been mentioned was really larger than the needs of the case demanded, and he thought that five or six would be amply sufficient. As the actual resolution made no mention however of any particular number, he hoped that the discretionary powers that were vested in the Council would lead to there being as few licensed shops as possible, and so he very heartily voted for it.

Mr. WALLACE was of opinion that six shops would sell as much as seventeen, and said that the matter had been most carefully considered by the Council, and it was only proposed to issue licenses to shops at present in existence, viz. seventeen.

Mr. KRUSE thought that it did not matter much whether the number stood at seventeen or less, as the shopkeepers would most probably reduce the number themselves by combining together so as to avoid the payment of license fees.

Mr. WILSON said they ought to consider the opium smoking shopkeepers whom we were closing down at only a short notice of two months, and give the whole of the seventeen present shops the opportunity of taking out licenses for the sale of prepared opium; besides the question of whether there were seventeen or six shops was of little consequence, as the whole of the licenses would be cancelled in less than two years.

Mr. WALES supported the Council's motion simply because he did not see that by altering the number of shops it was proposed to license for the sale of prepared opium, it would make any practical difference to the consumption of opium, and the Council's motion seemed to him to be likely to cause less irritation and also to avoid any possible accusation of harsh dealing. He was not half hearted in his desire to see this thing done, but he would like to see it done effectively and with as little irritation as may be.

The resolution was then put to the meeting and carried unanimously.

With a hearty vote of thanks to the Chairman, Dr. Merz, proposed by Mr. WALLACE, the business of the meeting was concluded.

Minutes of a meeting of the Council, held at the Board Room, on the 2nd June 1908.

Present:—Messrs. W. H. Wallace (Chairman), C. A. V. Bowra, W. Kruse, W. Wilson, the Health Officer and the Secretary.

1. The minutes of the last meeting are read, and confirmed.

2. Ordinary routine business is transacted.

3. The Superintendent of Police reports the following cases have been dealt with at the Mixed Court since the last meeting:—

*Summonses.*—Assault 4, Breach of Sampan Regulations 2, Debt 1, Throwing rubbish into the public drains 2, Obstructing the public drains 2, Allowing pigs and cattle to stray 8, Threatening to do grievous bodily harm 2, Using abusive language 1.

*Summary Arrests.*—Committing a nuisance 3, Burglary 1, Breach of Sampan Regulations 1, Illegally removing soil from the foreshore 5, Being a rogue and a vagabond &c. 1.

(Signed) W. H. WALLACE,  
Chairman.

By order,

C. BERKELEY MITCHELL,  
Secretary.



## ANTI-FOREIGN CHINESE OFFICIALS.

(Daily Press, 20th June.)

We have recently had occasion to refer to the disgraceful mismanagement of the pretended Imperial Telegraph Administration of China, which under the name of being an Imperial service had really, according to true Chinese traditional custom, become a family affair in the hands of that most reactionary of Chinese administrators, SHENG KUNG-PAO. The animadversions cast by us on the present service are repeated in still stronger terms by the *Times* correspondent, than whom no-one from practical experience is more competent to speak. This SHENG KUNG-PAO, better perhaps known by his official name of SHENG SWAN-HWEI, which he bore before being granted his present title, has not only been noted by the persistency with which he clings to the traditional spoils of office, and the opposition he offers to every project of financial amendment, but has recently become one of the chief instigators of the clamour for the restoration of "China's Sovereign Rights" which in certain cases, owing to her own internal weakness, and the persistent maladministration of SHENG KUNG-PAO himself, and others of the same calibre, have dropped out of her hands. The latest complaint of his nature proceeding from the Chinese ox, is directly the work of SHENG himself, and is addressed to the International Telegraphic Conference, being held at Lisbon. Owing to the notorious maladministration of the native telegraphs, when Manchurian administration was as far as possible being handed back to China, the telegraphs, which had been necessarily worked under foreign supervision, remained tacitly under similar control. The Chinese Government had, in fact, no competent staff for the purpose, nor was any request made for the transfer, so things simply went on by their own vis inertia. A firm believer in the traditional doctrine that the perquisites of office are the personal property of the holder, and must not be enquired into, SHENG KUNG-PAO is the champion of the old as opposed to the modern dogma of the responsibility of office. So this interference with what he conceives to be his own personal monopoly has been grating heavily on his mind. That it was entirely due to his own maladministration, is, with officials of the SHENG type, and unfortunately they are still in the majority, no proper reply to his complaint. His were the telegraphs, and his he intended they should be for all time, and not the EMPEROR himself, or what in SHENG's mind was of far more consequence, the EMPRESS DOWAGER, even if she wished, which of course SHENG took care by a judicious course of watering, she should not do, had any business to enquire as to the method in which they were conducted. This, it is hardly necessary to mention has been for all time the accepted rule of Government in China, and SHENG in constituting himself its special champion is only giving expression to the feelings of nine out of every ten of the ruling class.

Another nominal Government undertaking in which SHENG KUNG-PAO occupies a like position is the short line of railway from Shanghai to Wusung. As in the case of the Telegraphs, to say that SHENG is the leading, or sole spirit in the management, is to imply necessarily that it is bungled. Unfortunately the line forms part of the Nanking System, where the other day we had occasion to refer to the disastrous effects of this interference of implied private rights with the financial success of the railway in the imposition of private likin

dues on a nominally Government owned and controlled Railway. When the late Viceroy at Nanking, H. E. LIU K'WEN-I, arranged for the extension of the boundaries of the Foreign Settlements at Shanghai, the obstacle in the way was this same SHENG SWAN-HWEI, in deference to whose controlling influence in the Wusung Railway, a huge gap was left in the middle of the amended Settlement, lest, as an evil conscience on the subject suggested, his mismanagement of the railway should become too apparent. Until the other day the management of the Wusung department of the line had effectually shut off all municipal and public access to their line, leaving only a small space for the admission of passengers. As a natural effect of this, aided by a prohibitory tariff, the traffic on the line was of the smallest, and hardly covered expenses. The new management of the line after its opening to Suchow, filled up SHENG's ditch, which had effectually prevented access to the station and threw it into the public road. This ditch, some 14 ft. wide, had formed the boundary of the Settlement, up to which the Settlement Police had patrolled. On the other side of the ditch on the railway property watched a body of a slightly improved native police. As a fence had been put up along the new boundary of the road the Settlement police naturally patrolled the whole road, and one day one of the municipal police was attacked by some of the others who attempted to drag him off violently. The man, who was sufficiently powerful, naturally resisted and made the others relinquish their hold. When they attempted to repeat the manoeuvre a few days after the foreign policeman blew his whistle, with the result that three native policemen were run in and taken to the station, whence the next morning they were brought up before the Mixed Court. As the magistrate was not prepared to try the case, on his promise that they should appear the next day, they were allowed out. Of course, the affair having evidently been arranged beforehand, the next day no appearance was made, notwithstanding the engagement of the magistrate, but three mounted men, armed, commenced, in defiance of all regulations, to patrol the neighbouring streets. As the foreign police have orders to arrest all armed natives marching through the foreign quarters, chase was immediately given and one of the lot was captured and run in. A demand was made for his release which was refused, but the magistrate was given to understand that if the men whom he had engaged to appear did surrender, the Council would consider the case of the other. The case was apparently one of these attempts which have lately become destructive of all good relations to "restore China's Sovereign Rights." Unfortunately for the continuance of good relations, these attempts, so far from partaking of the nature of redressing wrongs, which would be willingly listened to, and if well founded, righted, the new school partake of SHENG KUNG-PAO's methods, and take no account of the corresponding rights of the others. A question of patrolling fourteen feet along one side of a municipal road in Shanghai has been made a pretence for encroaching on rights surrendered sixty-two years ago under Imperial instructions, and in accordance with the Treaty of Nanking, and of similar character are most of the other claims put forward for the "restoration" of China's lapsed rights. The title presented to the Lisbon Conference is only one of a series, each one more preposterous than the others. Unfortunately the intriguing

parties, who are patently trying to stir up the old strife, are for the most part men, like SHENG KUNG-PAO, whose position in any other country than China would act as a deterrent. These men had experience that it has been mainly owing to her own faithlessness and disregard of engagement that it has been necessary to take the administration of these things out of China's own hands—necessary for the carrying on of any intercourse whatever. Yet with all the lessons of the past we see a return to the old councils of Caution in the old East India Company's days becoming, under evidently high inspiration from Peking, once more the order of the day.

Returning to the Shanghai incident it is no good sign for the future relations of China, that the man YUEN SHU-SUN who notoriously was the instigator of the Settlement riots two years ago, so far from meeting with disgrace, has at the instance of the DOWAGER EMPRESS been promoted to high office, and has recently been appointed Governor of the important province of Shantung. So long as men who have abused their offices by such misdeeds in place of degradation, meet with high promotion, so long must we look upon the regeneration of China as a thing incapable of realisation.

## THE CULT OF DEMOS.

(Daily Press, June 22nd.)

An article of much interest at the present time on the subject of Socialism, appears in the *Revue des deux mondes* from the pen of Mr. PAUL DUBOIS, a well known and very able political writer. It deals with what is designated "Municipal Socialism in England" and, after giving an exhaustive account of the manner in which socialistic principles have been adopted by various municipalities in that country treats incidentally of the whole subject of socialism both in England and France, and shows the danger of such a system if applied to the State.

The difficulty of arriving at any conclusion on the subject of Socialism is that the term is used with a great variety of meanings. For all that has been said about Socialism for years past it would be difficult to give any exact definition of what the term really means. The idea of very many is that Socialism is some recently discovered means of putting an end to all the evils of poverty—to low wages, to sweating, to unemployment, to the wretched surroundings of the slums in which many have to pass their lives. This end appears so desirable that people are inclined to believe in any means, which have a plausible appearance of being likely to attain it; and the subject thus affords an endless topic to the vast number of orators, the power of whose speeches is the result of a happy ignoring of all that can be said on the other side. The curious fact, however remains that most of those who have actual knowledge of the poor and have taken an active part in relieving them are opposed to the socialistic creed and are fully alive to its practical futility, and indeed, to its danger. Those best conversant with the subject are aware that there will always be a large class whose condition it is impossible to improve for the simple reason that they make no effort in that direction themselves; and that without this no artificial economic measures can produce any permanent good. It will be long before anything like unanimity will be arrived at on this broad bearing of the subject, but individual parts of the Socialist propaganda of a less sweeping character are already being accepted, and they may form a temptation to go to further and dangerous



lengths. What really is aimed at by the Socialists is nothing less than a system of nationalised charity—an arrangement of some kind by which constant and permanent assistance is to be given in various ways to the poor at the expense of the public generally. It is not considered that if this end could be attained, the necessary effect would be a diminution in the sums which are voluntarily given to a very large amount in the form of public and private charities. Such, however, would undoubtedly be the case, though it would be difficult to establish the fact by statistics.

Up to the present only two measures of the Socialist school have been considered as within the range of state politics, namely old age pensions and the nationalisation of railways, and for both, plausible reasons are urged. The former, however, stands on a totally different footing to the latter. Relief of the poor has to be provided in some form by public bodies or by the State and on this ground the matter may be deemed one which Government may undertake within reasonable limits. Time, however, was when both these schemes would have been condemned upon the hitherto accepted principle that matters which can be done by private persons should be left to them and will be better performed by them than if undertaken by Government. The principle of old age pensions however appeals to very natural and respectable feelings of compassion, and in this way may perhaps be accepted though rather upon motives of kindness than of sound judgment—and in deed it seems to have been approached much in this mood by the Liberal party at home. There was, however, a good deal of party policy in their action. Although the labour party are not in favour of the more extreme recommendations of the Socialists, the particular scheme of old age pensions is certain to be popular with them—and the Labour party must be conciliated in view of a possible general election. It has, however, been often pointed out that a suitable provision for old age can be secured by the payment of a very small sum in early years, and there would seem no reason why some kind of working-men's deferred annuity company might not be established, which would secure the end in view quite as effectually as any Government system. This, however, may be considered impossible on account of the inherent want of prudence which characterises the working classes in England, and there may, on this ground, be reasons for making the concession though it certainly is a serious one when though £6,000,000 are now spoken of, it is estimated it may cost the country at much as £30,000,000 per annum before it has been in existence many years.

The question, however, of the nationalisation of railways stands upon a very different footing—and the results would undoubtedly be very serious if any such measure were adopted. Of this we have the valuable object lesson to which Mr. PAUL DUBOIS calls attention, the result of administration on Socialistic lines by various large municipal bodies in England. In hardly any case has the experiment been in the long run pecuniarily successful and, in most instances, the effect of the municipalities undertaking the work of supplying gas, water, tramways, electrical force, telephone service and the like, has proved conclusively that the work could have been done much more cheaply and efficiently by private enterprise. But the effect politically has been enormous. The employment of so many workmen has placed a large number of votes directly for the

councils, and indirectly for Parliament [at the disposal of those connected with these Councils. The workmen by the municipal bodies have been really masters of the situation and have been able to make their own terms both as to employment and payment. It is satisfactory to notice that the London County Council have recently taken warning and have set their face against the system which they had hitherto been following in common with other municipal institutions. No one, with these facts before him, can doubt that the effect of nationalising the railways and other like services would be the same as that which has attended the like movement on the part of the municipalities. The railways would be less effectively administered, but a vast number of working men would be under the direct employment of the Government—and, as most of these men would represent a vote, no Government could remain in office who did not conform to their views. This, combined with the great powers the working classes already possess by means of their trade unions, would throw the whole governing force into their hands and an opening would be thus given to the introduction of the more drastic measures which the Socialists desire to see carried—all having for their object the taxation of those who have something, in favour of those who have nothing. This may be very creditable though vicarious benevolence but it is very bad statesmanship and can only lead in the end to the impoverishment of the community as a whole and to the increase of the evil which it is designed to correct. In speaking of the effects of Socialism in France, M. DUBOIS says "it may be truly said that the large number who vote can, with impunity, place burdens upon the small number who pay." If Socialism, in the form of placing railways and the like enterprises directly under the management of the Government, were introduced we should soon arrive at a similar state of affairs in the United Kingdom.

## ASIAN GEOLOGY AND HISTORY.

(Daily Press, June 23rd.)

How much history is connected with geology may be seen exemplified in that of Asia from time immemorial. According to the popular belief, current even amongst many prominent geologists of the day Asia is the most ancient of the continents, in comparison with which Europe is but an infant; and to Asia Europe is indebted for her inhabitants,—men and animals, as well as for her civilisation and her religion. As a fact, of the two continents Europe is by far the older, and was to a great degree peopled while the great expanses of Central Asia, at least, formed a huge Mediterranean Sea,—manyfold greater than its modern representative that now forms a parting between Europe and North Africa, but which two continents were then united. The changes took place, not only well within the human period, but even since many of the still existing races of men had come into existence, and there is no doubt were the foundation of many of the primeval legends still current, but which were more widely spread in the ages just anterior to history. One of these legends is that of the Flood and regarding it it is noteworthy that all the myths can be traced to the area in question. Another curious myth, of nearly as wide distribution, is that the people that remained to people the new earth, are always represented as descending from a mountain, may be Parnassus, or Ararat, or Domavand, or the Pamirs, but always connected with

this region of Asia. Many of these flood stories tell of a prior degenerate race of men having peopled these regions, who were destroyed by the rising waters, but on one thing they are unanimous, and that is, that the descendants of the new comers finally peopled the emerged land.

Now ethnographers are pretty well agreed that the blond races, by whatever names they select to call them, are the most modern of all, and until a comparatively few years ago, when the Germans put in a claim for their country having been their birth place, myth and tradition it was held, agreed in making Central Asia their original home. These people knew nothing of Chinese,—or what was the same thing knew it only from the ignorant mistranslations of the eighteenth century, nor were they acquainted with the stories of primitive tradition concealed in the sacred writings of the Zoroastrians. Now it is interesting to discover that the older Chinese myths and traditions quite fit in with the older European tales in relegating to Central Asia the original homes of the blonds; whence they come we know not, but their appearance seems to have been contemporaneous with the final retreat of the ocean. The Chinese traditions are very explicit in saying that they found the mountain slopes covered with forests, through which they had to cut their way to gain access to the lower plains. Chinese and Indian tradition again agree in making these people the original inventors of the plough, and hence the first introducers of regular agriculture. But besides these blond peoples, traces of whom we find in the more elevated parts of Central Asia, Asia was invaded by a much older race, these peoples seemed to have entered from Europe the more northerly regions, and settled in what is now Siberia. They were dark swarthy folk, with great round heads and little or no hair on their faces, in entire contrast to their southern blond and hairy neighbours. From whatever cause, and in this Zoroastrian and Chinese lore perfectly agree, Northern Asia was gradually becoming colder all this while, and the northern swarthy folk, finding that they could no longer sustain life along the fringes of the Northern, now Arctic Ocean, began to press on their southern and more advanced neighbours. This is vouched for in Greek, Zoroastrian, and Chinese lore. The Greeks called these intruders Arimaspi, the Zoroastrians Aizhi-Dakaka, and the Chinese Tiks, or rather Diks.

The country, we have seen, at least on the higher grounds supported great forests, and of these we find traces everywhere from Western Persia to China. In their new born zeal for agriculture the blonds commenced the work of cutting down the forests, like the modern settlers in the United States, not pausing to think of the future. As these blond folk have elsewhere usually shown themselves tree-lovers, it is possible they would eventually have paused, but throughout most of the region in question they were gradually superseded by the others. Even as late as the fourth century we find an intelligent historical Chinese writer informing us that all the peoples living west of Lake Baghrash were fair, had light hair and blue eyes, and wore great beards; and it was the ancestors of those folk, who as Goths, or other Teutons, had poured in their millions into Europe, and destroyed the Roman Empire.

The northern people who, as Diks, or Hiung Nu, or Turks of various sorts poured into Central Asia from the fifteenth century B.C. were much behind the other peoples in culture; like all nomades their rule was entirely one of waste and slaughter



with no thought of the morrow. For them the forests had no charm, and no use beyond their immediate utility as fuel. For the sake of destruction they burnt down everything combustible, indifferent whether it were a tree or an ancient fane upreared by centuries of human labour. Under their inroads Asia Minor, the lands of the Tigris and Euphrates, and the adjacent districts were swept of their forests, as well as of everything destructible that remained of the old civilisation: a little later the same lot fell to Persia and Afghanistan, not a tree remaining over thousands of square miles to mark the former rich forests. Of course, this wholesale destruction of the forests has had its disastrous effects on the climate, and the entire of Western Asia is rapidly reverting to desert conditions. For some time Eastern Asia, including China succeeded in averting the scourge, but it came at last; and it is to the everlasting shame of the Manchus, that since the establishment of the present dynasty, its policy has been to help on rather than retard the destruction of the few remaining forests. Perceptibly within the last century has the process of destruction in North China gone on unchecked; and, as in Persia and the west, for each tree cut down without replacement the desert has demanded its toll.

One spot, and one alone remained in Eastern Asia as a witness of what the Continent once had been; and that, without one word of protest from the Governments concerned is not condemned to destruction. That is the small fragment of Manchuria about the Yalu and Sungari. Japan, as professing to have learned the principles of forest conservancy, and as at least professing to have initiated steps for the conservation of her own forest preserves, is here the more deserving of blame, but China is not far behind. In China proper she has had an object lesson as to the folly of permitting her own forests to be ruthlessly destroyed. It is no exaggeration to say that one may travel for hundreds of miles through North China without seeing a wooden door, a few rude stools of willow wood; and a single table, is the only furniture to be met in thousands of homes. Nor is a stick to be had for fuel, cattle droppings and bundles of grass, always torn up by the roots to render the destruction the more complete, are the peasants' only resource in the long nights of a semi-Arctic winter.

But the evil does not end with the comforts of the people. Deprived of its natural cover the land is alternately ravaged by droughts, or the soil removed in millions of tons by freshets; so that the once grass-clad meadows of Cheo, are now being borne with constantly accelerated speed down to the Gulf of Pechili. Such is North China—a desert in posse, soon to become, like the New Dominion already, a howling desert, where no animal life higher than the desert-loving scorpion can find a home.

Is it too much to hope that the last fatal blunder of destroying the last poor remains of the last Asiatic forest will be averted in time, and that China will awaken ere too late to a sense of the fearful retribution she is bringing down on herself by her wilful setting at defiance Nature's inexorable laws?

A sensational sequel to the Shatin murder trial was witnessed in the Supreme Court yesterday. Their Lordships the Chief Justice and the Puisne Judge agreed that certain evidence admitted was illegal and on that they quashed the conviction of the jury and discharged the prisoners, refusing the Attorney-General's application for leave to appeal to the Privy Council.

## THE TRAM COMPANY.

(Daily Press, 24th June.)

We note that the Chairman of the company that controls the electric tramway system at Hongkong has again been referring to the loss on subsidiary coinage—that is to say, the difference between the nominal or face value of the actual takings and the amount which the Bank credits against deposit of those takings. This, he asserted, was "a matter entirely beyond the control of the directors." Yet in spite of it being entirely beyond their control, they "were considering most earnestly in what manner they could obviate the heavy loss put upon them by this leakage in their receipts, which now amounted to about ten per cent." If entirely beyond their control, it is waste of time considering how to obviate it; if the loss can by their own efforts be diminished, it is not entirely beyond their control. We ought to apologise for pointing out the inconsistency of the Chairman's remarks which is sufficiently plain; but we have done so as a preliminary to showing in another way that the loss is not so entirely outside the control of the management as the shareholders were asked to believe. Though we are of those who believe that the Hongkong Government has not done its duty with regard to the subsidiary currency of the Colony, we regard as an overstatement the remark that "the Government, whose duty it was to provide by legislative enactment a fixity in price for the legal tender, failed to do so." The bulk of the takings on our local trams are not legal tender, being Chinese coins for the price or value of which the Government is in no way responsible. The Government has informed all who are in the position of the tram company that they need not accept these depreciated Chinese coins unless they like, and there its legal responsibility ends. It is unlikely to take any step which will relieve the tram company "from the disagreeable necessity of acting independently." This was a half-threat to raise the fares. The Chairman said they were "very much averse to raising their fares, as it was their desire to give every advantage to the riding public compatible with the interests of their shareholders." This implies no more philanthropy than it literally contains. The company will not take the Government's hint and refuse alien coins because it cannot afford to. Half a loaf is better than no bread. We do not think it will undertake any serious increase of fares, for similar reasons. Its loss on subsidiary exchange would probably be exceeded by its loss by decrease of revenue. But the loss at present complained of is far from being "entirely beyond the control of the directors," if they would only put a lever to the inertia of the local management. At Shanghai there are books of tickets or coupons on sale at the clubs and other places where the public can easily and conveniently procure them. The takings in this form are large, and are not in depreciated currency. At Hongkong, with a little trouble, we believe people may obtain punch tickets, but very few people know about it, and they have to write or apply for them, which is more trouble than most people will take. A very simple matter of enterprise would enable a big proportion of the local revenue to be collected in currency on which there is no loss, and the convenience of the public would also be thereby furthered. We have no longing to teach other people their business, but the extraordinary statements to the shareholders in London required that we should point out

the way in which the company might help itself, without waiting for the Government to do what it is now more unlikely than ever to do.

## SIR HALLIDAY MACARTNEY.

(Daily Press, 25th June)

A book that cannot be ignored by any who are interested in China is the voluminous "Life of Sir HALLIDAY MACARTNEY," by DEMETRIUS C. BOULGER, published by Mr. JOHN LANE at a guinea. We notice that various critics have various opinions, not only of the book, but of the man of whom it speaks. The *Times* says that Macartney was an interesting but not an impressive or dominating figure in the occasional diplomatic controversies between China and European nations from the late seventies onwards. He had some exciting experiences in the Taiping Rebellion, and he founded the first Chinese arsenal. As the adviser of successive Chinese Ministers in England he played a useful but unobtrusive part in various international negotiations; yet only two of these, the Kuldja dispute and the war with France about Tongking, were of large importance. Many a diplomatist who has not risen above secretarial rank has dealt with greater things, and yet failed to find a biographer. If Mr. Boulger's book is produced primarily as a last tribute of respect to the memory of an old and valued friend, much must be forgiven him; but we find it hard to excuse the trivialities with which the work is cumbered. There can be no permanent value in page after page of Sir Halliday's business memoranda about purchases of iron and wood and sheet copper for the arsenal, or his observations on the internal management of that curious enterprise.

Another critic says these letters relating to the supply of materials to the Chinese arsenal are "utterly unnecessary." If ever there should be a discussion of the "commercial morality" of old-time Shanghai-landers, after the manner of that to which the Japanese were recently treated, perhaps these letters might be admitted as evidence. There is a good deal of matter in the book which, while not absorbingly interesting at the time, is worth preservation as material for some future historian of foreign relations with China. We are at present, however, too near in point of time to the actors and the actions, and comments now can scarcely avoid wounding somebody or other. We are so far in agreement with the *Times* that we do not regard MACARTNEY as a fit object for hero-worship. But then, biography need not be that to be interesting. PEPYS was no hero, but he is well worth study, and speaking broadly MACARTNEY offers similar fascinations. Mr. BOULGER introduces to us a man who was frankly obsessed by the idea of making his way in life, of prospering personally, and at the same time we are bound to admit that while he served the Chinese chiefly for his own glory and reward, he served them at all times faithfully and honestly. He made no pretence of working altruistically for the good of China, but the absence of foreign applause at times was sufficient evidence that performance was there without profession. We do not think we need follow Mr. BOULGER's outline of his subject's life. The main facts are sufficiently well known on this side of the world.

When he entered Chinese employ, he hoped to reach high place at Peking, and to become an unseen power behind the Throne; but the aspiration was only partially realized, and Mr. Boulger makes it clear that he was never very generously treated by the Chinese. He was at first secretary to the reckless American Bugevine, who commanded the Ever Victorious Army. Bugevine quarrelled with him, as he did with every one, and even threatened to court-martial him; but Macartney had a high opinion of his chief's capacity, and perhaps



history has not quite done justice to that stormy adventurer. The episode of the murder of the Wangs—the leaders of the Taepings—by Li Hung Chang is dealt with at length by Mr. Boulger, who is well qualified to discuss it. He does not say, as others have said, that Gordon in his furious indignation at Hung Chang's treachery started out to shoot him with a revolver; but he shows us both the noble and the extremely impetuous and impracticable sides of Gordon's character. Gordon wrote to Li to say that if he did not at once resign his office he would attack the Imperialists, retake all the cities captured by the Ever Victorious Army, and hand them back to the Taepings. He even condemned Macartney, in quite unwarrantable terms, in an official despatch, because he tried to play the part of peacemaker; but with characteristic generosity he afterwards made handsome amends in public, and his letters show that he manifestly had a strong belief in Macartney's ability.

The part of the book which has most interested us happens to be the part dealing with MACARTNEY'S relations with GORDON, and to us it offers a striking confirmation of Lord Cromer's recent estimate of that popular hero's character.

### "THE LADIES: GOD BLESS THEM."

(Daily Press, 26th June.)

Except by the quiet way of a *Daily Press* telegram, we in Hongkong heard nothing of the great united shout of the Suffragettes in London on June 21st, which was to have brought down the Jericho-walls erected and maintained by those who do not see why decent women should be turned into more or less silly voters at Parliamentary elections. The simultaneous squawk from half a million feminine throats must have been awe-inspiring, as well as ear-splitting. Perhaps it was responsible for Mr. ASQUITH'S announcement that if the people of England showed that they really desired votes for women, the Government would have no objection to the introduction of a Bill to enfranchise the Jills. Perhaps it was not. In any case, we bear no malice—distance having rendered the co-operative scream less epouvantable to us—and we sincerely trust that it was not responsible for too many sore throats in that "proud and happy band." 'Tis a suffragette poem we quote from:

They'll tell in song and story  
How women once were slaves;  
How those who strove to free them  
Went sorrowing to their graves;  
Until they came in numbers  
That no one could withstand.  
Hundreds of thousands marching,  
A proud and happy band.

Hundreds of thousands screeching, it was on this famous 21st of June; and we cannot but think more effective tactics might have been employed. It was a male voice choir that laid flat the walls of Jericho, and we fear the feminine pitch, being higher and of greater vibratory voltage, so to speak, would not blend into the proper thunder. It would be too much like the "clamour of citizens without," when the economical stage-manager hires small boys to produce the stentorian murmurs of the oi polloi. If they wanted Asquith and Co. to tremble, they wanted something more than a tremendous treble, adulterated with blends of soprano and falsetto. It might have paid them to take a hint from the tactics of Mrs. Pott in "Pickwick." Half a million suffragettes, all lying on their backs in Hyde Park, and drumming with their heels at the word of command, might have made an impression. This is a sublime conception, and when the suggestion reaches London, per our weekly mail edition, we

hope it will not escape the notice of the Meadames Drummond and Pankhurst. Think what a great and grand historical picture it may inspire, for our children's children to gaze at on Saturday afternoons in the National Gallery. A still simpler idea, which we are surprised was overlooked, would have been to have given every female in that proud and happy band a bell like the one with which Miss MOLONY discomfited Mr. WINSTON CHURCHILL at Dundee. The opportunity was lost. So, according to *The Academy*, is the Cause. According to our pious and occasionally scientific contemporary, the Suffragettes have been from the outset doomed to squeal in vain.

From the earliest times the animal man has found it expedient to indulge grave suspicions about the animal woman. Early in his chequered and variegated career he discovered that the other and better part of himself, though charming and amusing to a degree, was not really to be trusted. Hence he took particular care to keep her under his thumb, and when his thumb grew tired, he would employ his heel rather than let her go free. This was nobody's fault; nobody should be upbraided for it; nobody had the smallest right of complaint. It was Nature or the Order of Things who arranged matters as they were arranged, and it is not for the creature to improve so little upon the views of the Power who created him. We shall spare the reader fat disquisitions upon the middle history of this strange relationship, contenting ourselves with the observation that right down to the present silken epoch the creature man has insisted upon being "lord of the fowl and the brute." And in spite of thousands of years of tradition, and thousands of years of broadening down, as it were, we find ourselves face to face with what is probably the most annoying and least edifying portent that has ever threatened to interrupt the orderly processes of civilisation, the said portent taking the shape of the Screaming Cockatrice and her loose-witted male supporters and victims. It is worth noting, at the risk of triteness, that the behests of the Order of Things cannot really be disobeyed. Wherever you find unnatural action or unnatural thought, there, if you look closely, you will surely find the authentic law silently insisting upon correction. Which is to say that all foolishness, however applauded, or however supported, comes in the end to be a sort of triumph for wisdom.

Furthermore, says *The Academy*,

We have sprawled in our noble rage and admiration for this fairest of God's creatures and we are reaping something of the whirlwind. To put it another way, we have taught the parrot to speak, and we have allowed her out of her gilded cage. She flops about in startling plumage and shrieks her phrases with an assiduity which shows her to be a bird of pluck and perseverance. But she is becoming an obvious and dangerous nuisance. She disarranges the room. She rings bells. She shouts for apologies. And she will not allow poor papa to get on with his Elections. What is he to do? We say it with regret, but there is only one thing that he can do, to wit, he must place the bird back in her cage. His irresolute hands will probably suffer in the process. If she can't bite them she will peck them. All the same, the time has come for severe and firm measures.

That was written before the raucous caucus of June 21st, before the five hundred thousand shrieks were blended in one memorable blast; and we presume later comments will demand something with boiling oil in it.

The victim of a forgery appeared at the Magistracy this week to charge two bank foks with forgery. The complainant had just arrived from the country with a promissory note for \$700 on a Chinese bank in Queen's Road. He went with a friend to the bank and received the money, among the notes paid to him being the \$100 bill in question. He afterwards went to a money changer and produced the note, but was informed that it was not a genuine one. He returned to the bank but the men there denied having paid that note. Complaints were made to the police and two foks were arrested. Mr. Wood remanded them for a week, bail being fixed at \$1000 each.

## HONGKONG LEGISLATIVE COUNCIL.

A meeting of the Hongkong Legislative Council was held on June 25th in the Council Chamber.

### PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR FREDERICK JOHN DUALTY LUGARD, K.C.M.G., C.B., D.S.O.

HIS EXCELLENCY MAJOR-GENERAL BROADWOOD, (General Officer Commanding).

Hon. Mr. F. H. MAY, C.M.G., (Colonial Secretary).

Hon. Mr. W. REES DAVIES, K.C., (Attorney-General).

Hon. Mr. L. A. M. JOHNSTON (Colonial Treasurer).

Hon. Mr. W. CHATHAM, C.M.G. (Director of Public Works).

Hon. Mr. E. A. IRVING (Registrar-General).

Hon. Commander BASIL R. H. TAYLOR, R.N., (Harbour Master).

Hon. Dr. HO KAI, M.B., C.M., C.M.G.

Hon. Sir HENRY BARKLEY, K.C.

Hon. Mr. H. E. POLLOCK, K.C.

Hon. Mr. WEI YUK.

Hon. Mr. H. W. SLADE.

Hon. Mr. MURRAY STEWART.

Mr. C. CLEMENTI (Clerk of Councils).

### MINUTES.

The minutes of the previous meeting were read, and confirmed.

### PAPERS.

The COLONIAL SECRETARY, by the direction of H. E. the Governor laid on the table "The Annual Report on the Hongkong Volunteer Corps for the year ending April 1st, 1908."

### FINANCIAL MINUTES.

The COLONIAL SECRETARY, by direction of H. E. the Governor, laid on the table Financial minutes Nos. 29 and 30, and moved that they be referred to the Finance Committee.

The COLONIAL TREASURER seconded, and the resolution was agreed to.

### FINANCE COMMITTEE.

The COLONIAL SECRETARY, by direction of H. E. the Governor laid on the table the report of the Finance Committee (No. 10).

The COLONIAL TREASURER seconded, and the motion.

PUBLIC HEALTH AND BUILDINGS ORDINANCE. The ATTORNEY-GENERAL moved that the Council go into Committee on the Bill entitled an Ordinance to amend the Public Health and Building Ordinance, 1903, and The Public Health and Buildings Amendment Ordinance, 1903.

The COLONIAL SECRETARY seconded, and the motion was agreed to.

The ATTORNEY-GENERAL—In reference to clause 85 Your Excellency informed the Committee at the last sitting that a letter from the Chief Justice had raised points in regard to the bill which required consideration. The representations of the Chief Justice were to the effect that, whilst it is sought to place the duty on the Court to hear and determine questions of law arising on special cases stated by the Governor-in-Council, there was no provision contained in the bill requiring the decision of the Court to be enforced or given effect to. The Government after giving full consideration to the matter propose to insert express words in the Bill to meet the point, but we further propose to limit the power of stating a case by the Governor-in-Council to such questions of law as the Governor-in-Council may, in his discretion, direct and to amend the clause in so far as the directory words are concerned, these words requiring the Governor-in-Council to state a case if required by the appellant. In clause 84 the express words to be inserted preserve the Common Law remedy, although, as I have hitherto stated, I regard them as unnecessary. Also clause 88 preserves the rights by mandamus or injunction. The effect will be that all the common law remedies will be expressly preserved and that the right of appeal to the Governor-in-Council will be given on all points for the power in the Governor-in-Council to state a case for the opinion of the Full Court and when the Governor-in-Council invites, on his own initiative, the



opinion of the Court there is nothing objectionable or unreasonable in providing, if it is so desired, any express permission for the finding of the Court to be acted upon.

Hon. Mr. POLLOCK—With regard to what has fallen from the hon. and learned Attorney General I think it is desirable that the letter of the Chief Justice should be laid on the table. As it has been quoted by the hon. Attorney General in his speech, it would be more satisfactory if the Council had the whole letter before them. The hon. Attorney General adopted an unusual course in taking clause 85 before 84. I venture to suggest it would be desirable to deal with clause 84 before we deal with 85. I take it the clauses were put together for the purpose of showing the general nature of the proposal put forward by the Government. As regards 84 I have an amendment to move and I have another with regard to clause 85. I take it these amendments will be put separately?

The ATTORNEY-GENERAL—I only explained to the committee what the course was.

Hon. Mr. POLLOCK—With regard to clause 84 I would suggest that a clause be inserted to come before the proviso which I understand the Attorney General intends to move. It is to the effect that the expression "discretion" as used in this section shall include an expression of opinion by the Board or by any person to whom discretionary power is given as aforesaid as to the meaning of any provision of this Ordinance. The main object in moving this amendment is to make it quite clear that the discretion which is referred to in this section—and I understand the Government are willing that parties shall be at liberty to apply to the Supreme Court on a point of law—should refer to questions of law as well as matters of fact. I hope, Sir, the Government will accept this amendment. I think it is in accordance with the principle of the Bill. Before the Attorney-General proposed to add the present proviso, I think he intended "discretion" to cover points of law as well as questions of fact.

The ATTORNEY-GENERAL—I cannot see how it amplifies the section?

Hon. Mr. POLLOCK—It amplifies the section in the way I have been endeavouring to explain during the last ten minutes.

The COLONIAL SECRETARY—It seems to me the amendment you want to make is to clause 85.

Hon. Mr. POLLOCK—It is an amendment to clause 84.

Hon. Sir HENRY BERKELEY—It seems to me all my learned friend desires can be obtained in the proviso which the hon. Attorney General proposes to add to the end of the clause. That proviso empowers any person to apply to the Supreme Court for "mandamus, injunction, prohibition," all of which include applications on questions of law. No question of law can arise otherwise than on one of these three orders.

Hon. Mr. POLLOCK—I certainly intend to press my amendment.

The ATTORNEY-GENERAL—You don't propose to state an opinion on a question of fact?

Hon. Mr. POLLOCK—Yes.

The ATTORNEY-GENERAL—I cannot see how this carries the section in the slightest degree further. The words are so very general.

Hon. Mr. POLLOCK—I cannot consent to it being handed down to posterity that I was the author of this bit of work.

The COLONIAL SECRETARY—The point you are trying to get at is already covered.

Hon. Mr. POLLOCK—There might be inaction or indecision and the whole thing might be hung up. It is rather difficult, I admit, to frame an amendment.

The COLONIAL SECRETARY—There must be a decision one way or the other. There may be a plan submitted to the Building Authority who says—According to my reading of the section it is not proper. The other man says it is proper. If the man is dissatisfied he thereupon takes it to the Governor-in-Council. The section has been fully considered by this Council, and the hon. member who questions it cannot draft an amendment to satisfy himself. I think the section ought to stand.

Hon. Mr. POLLOCK—I would move that the words or in action be inserted after action and "expression of opinion" after decision.

The Building Authority may say—This is my view. The other man may say this is my view. The Building Authority may decline to give a definite opinion one way or another.

HIS EXCELLENCY—He has to do so within a specified time. Do you wish to press your amendment to a division?

Hon. Mr. POLLOCK—Yes.

The ATTORNEY-GENERAL—The appeal must be from some decision.

Hon. Mr. POLLOCK—I am not going to be bound down by the technical use of the word "decision."

The motion was put to a division, and HIS EXCELLENCY declared that the noes had it. Hon. Mr. Pollock was the only one to support the amendment.

Hon. Mr. POLLOCK—There is another amendment to clause 84.

The ATTORNEY-GENERAL—I move to leave out the words in that clause "such order shall be final for all intents and purposes." The object of that is, that when a point has been raised, it is possible that the words might be construed as affecting the subsequent clause which gives powers to the Governor-in-Council to state a special case. The two clauses are intended to be read together, and the object is to get machinery to give effect to the decision of the Governor-in-Council whether it be based upon the order of the Governor-in-Council direct or whether it be based upon the direction obtained from the Supreme Court on the special case stated.

Hon. Sir HENRY BERKELEY moved that the words in line 22 "deemed expedient" be struck out and the word "just" substituted.

Agreed to.

The ATTORNEY-GENERAL moved the following proviso to clause 84 "Provided that nothing herein contained shall be deemed to prevent any person from applying to the Supreme Court for a mandamus, injunction or prohibition or other order instead of appealing to the Governor-in-Council under this section."

Agreed to.

The ATTORNEY-GENERAL—I move in clause 85 that on line 4 the words "and shall at all times be required by the appellant" be deleted.

Hon. Mr. POLLOCK—I am strongly opposed to this amendment. When the Bill was originally drafted this clause provided that the Governor-in-Council should state a case. Well, Sir, after some discussion the Government agreed that the appellant shall have power to require a case to be stated. Now for some reason which I am unable to fathom it is proposed to take away the right of an appellant—which we understood was conceded to him—of asking the Governor-in-Council to state a case. It seems to me that this amendment is of a most retrograde character, and I have not heard a single word by any member of the Government why these words should be omitted. I cannot conceive why an appellant should not have equal right when the Governor-in-Council has power to state a case of asking that a case should be stated for the opinion of the Full Court. I understand the Government were of opinion in the first instance that parties might be disposed to go to the Governor-in-Council rather than to rush into litigation, but now the appellant will have no say in the matter of whether the Governor-in-Council directs a case to be stated. I cannot see any reasons why these words should be deleted. I do not suppose that the deletion is in any way connected with the subsequent amendment to be proposed by the Attorney-General to clause 85. I strongly protest against this extremely retrograde movement by which it is proposed that the Government should withhold the concessions granted of allowing the appellant to require a case to be stated.

The ATTORNEY-GENERAL—Undoubtedly the deletion of the words will somewhat minimise the original proposal. Still the discretion in the Governor-in-Council is absolute. Speaking for myself as the legal adviser of the Governor-in-Council, if I were satisfied that an appellant had sufficient grounds to leave any reasonable doubt as to the construction of the statute I should have no hesitation in advising the Governor-in-Council to acquiesce in the application of any appellant to state a case. When the words were originally inserted they were not accompanied by the express words to which I have taken exception, requiring the

Governor-in-Council to give effect to the direction of the Court.

Hon. Mr. POLLOCK—With all due deference, the Attorney-General has not answered my point. It is not the discretion which he himself would exercise but whether the other incumbents of the office would uphold the public right. That is why I consider it necessary that this sentence which has been acquiesced in by the Government should remain the Bill. I must press this matter to a division.

Hon. Sir HENRY BERKELEY—I don't see any necessity in view of the concessions made by the Attorney-General for retaining the words. A person who goes to the Governor-in-Council should be prepared to abide by the decision of that body. It will multiply litigation to leave in these words, and I think my learned friend should be content with the concessions made in the matter.

Hon. Mr. POLLOCK—I must ask for a division.

On a division being taken there voted—For the amendment:—Hon. Sir Henry Berkeley, Harbour Master, Registrar General, Director of Public Works, Colonial Treasurer, Attorney-General, Colonial Secretary and H. E. the General Officer Commanding. Against—the Hon. Mr. Murray Stewart, Hon. Mr. Pollock, Hon. Mr. Wei Yuk the Dr. Stephen 8 to 4.

An amendment by the ATTORNEY-GENERAL that the words should be substituted for "with the opinion" who shall give effect to the finding was agreed to.

The ATTORNEY-GENERAL moved a new section 265b. The committee would remember that they had deleted the words in the proviso to clause 84 "such order shall be final for all intents and purposes." It was proposed that "an order of the Governor-in-Council on an appeal shall be final and may be enforced by the Supreme Court as if it had been an order of that Court. This was based upon the Imperial precedent. It was desirable to have proper machinery in order to enforce the order of the Governor-in-Council.

Hon. Mr. POLLOCK—Suppose there is a reference to Full Court, what then?

Hon. Sir HENRY BERKELEY—The Governor will not give his decision until the matter has been dealt with by the Full Court. If the appellant goes to the Governor-in-Council the decision shall be final, and if he elects to appeal elsewhere the decision will likewise be final.

Hon. Mr. POLLOCK—Supposing the Governor has come to a decision?

Hon. Dr. HO KAI—Then there is no need to refer to the Full Court.

The clause was then passed.

A proviso by the ATTORNEY-GENERAL to be inserted at the end of the clause was passed as follows: "And by the addition at the end thereof of the words: Provided that nothing herein contained shall exempt any person from any proceeding by way of mandamus, injunction or prohibition."

Other amendments of a verbal nature were dealt with.

The ATTORNEY-GENERAL—moved to add to the preamble the words "and to make better provision for the preservation of the public health."

Agreed to.

CHEMISTS AND DRUGGISTS ORDINANCE.

The ATTORNEY-GENERAL proposed the third reading of the Bill entitled An Ordinance to provide for the registration of Chemists and Druggists and to regulate the Sale of Poisons.

The COLONIAL SECRETARY seconded and the bill was read a third time.

The Council was adjourned till next Thursday.

#### FINANCE COMMITTEE.

A meeting of the Finance Committee was held immediately after the Council. The Colonial Secretary presided. The following votes were passed:

The Governor recommended the Council to vote a sum of One hundred Dollars (\$100) in aid of the vote Colonial Secretary's Department and Legislature, Other Charges, Hansard Reports.

The Governor recommended the Council to vote a sum of Seven hundred and forty-five



Dollars (\$745) in aid of the vote, Observatory, Personal Emoluments, for the following items:—

5th Grade Computer, (\$480 to \$360 by \$60 annually)...	\$505
Allowances for night duty to 2 5th Grade Computers	240
Total....	\$745

## THE LOSS OF THE "POWAN"

### OFFICIAL INQUIRY.

The official inquiry into the circumstances of the disaster which befel the steamer "Powan" was opened at the Marine Court on June 23rd before the Hon. Commander Basil Taylor, R.N., and Lieut. Henry Butterworth, R.N., of H.M.S. "Tamar," Captain J. Page, of the s.s. "Ying Ping," Mr. E. S. Crowe, master of the s.s. "Kwong Sai," and Mr. T. A. Mitchell, master of the "Fook Sang," assessors.

Captain Black, master of the "Powan," was the first witness called. He described the events of the fateful night. On the night of the 8th June he left Hongkong for Canton shortly after nine o'clock. The steamer went at half speed until she got clear of the shipping and then the order full speed was given. When he left the wharf he could see for over a mile distant. Some fifteen minutes afterwards he left the bridge to consult the chart and returned as quickly as possible. Rain began to fall when the vessel was off Chung Hue. He consulted the pilot, in whom he had every confidence, with regard to the course and the latter told him they were making for Capsimun Pass. Witness could not see any land at that time, but some minutes later he could see, by the light of the moon, some black objects on the port bow. At first he thought they were sampans as they were often to be seen at that part of the Pass but he found that he was wrong. Immediately he realized the position he ported the helm. The pilot became very excited and when the vessel had turned some two and a half points there was a grinding noise. Thinking he could clear the rocks he steered ahead and gave orders to sound the bell. The engines were stopped and the chief officer told him there were three and a half feet of water in the fore hold, the engineer also telling him they were making water very rapidly in the stokehold. He decided to head the steamer at full speed for land on the starboard side of the boat. This was very difficult to do as it would not cant under the helm alone. In order that he might carry out his purpose he went astern and got a point on the beach towards which to steam. He ordered the boats to be got ready and soon the plates began to buckle both fore and aft, and the engineer told him it was impossible to hoist the boats. He had boat drill once a week. The passengers, none of whom were Europeans, became excited. Witness signalled for assistance and the steamship "Kan Shum," as well as some fishing junks immediately came to their aid. Everything moveable was then thrown overboard and arrangements made for a raft. Many of the passengers were saved by the steamers which were proceeding to Canton and by fishing junks.

Lieut. Butterworth—What was the time between the Fairway Buoy and grounding?—Twenty-three minutes.

What do you estimate your full speed at?—Ten and a half knots an hour. Continuing, witness said he was not in the habit of slowing down when he could see land.

You are aware that under the new regulations heavy rain is mentioned as a case in which you must slow down?—Yes.

How many minutes did your see land before you struck?—About three minutes.

Captain Crowe also questioned the witness whose reply could not be heard.

Mr. E. M. Evans, second officer of the "Powan," stated that it was raining a little when they left the wharf, otherwise it was a pretty fair night. After leaving Fairway Buoy the wind came up from the west.

Which side did the junks pass you?—On the star board side.

You returned to your course, N. W. by W?—Yes.

Witness said he sighted Lantau on the port bow and there was nothing on the starboard bow. They were close in when they sighted Lantau and he did not hear the captain say anything. He could not tell what the pilot or the captain said. The ship struck about half a minute after the helm was put hard aport. It was a grinding noise. The engines were not stopped until at least a minute afterwards. Witness left the bridge to look after the boats as the vessel was making water very hard. It was still raining. He could not see land and he had no idea where they were. He returned to the bridge and afterwards assisted the crew to lower the boats, but there was no time to do so.

You and three or four Chinese went on to the bridge when the captain hailed you?—Yes.

What happened then?—We remained there. Mr. E. E. Rodrigues, the chief engineer, stated he remained in the engine room until just before the vessel grounded.

Was that after you had put on full speed?—Yes.

Where did you go then?—To my room on deck.

Was it raining then?—Yes.

You were on the starboard side?—Yes. Could you see any land?—No, the night was too dark.

When you got to the engine room were the engines working?—Yes.

Ahead or astern?—Full speed ahead.

Did you keep a register?—Yes, but it was lost.

How long were the engines going full speed ahead?—About three quarters of an hour. Then the engines were stopped?—Yes.

You left the engine room when the water came in?—Yes. I also sent the men up on deck.

How long were you in the engine room after you felt the ship bump?—About five or six minutes.

The order was given to go full speed again?—Yes.

Why did you leave the engines going?—I had not time to stop them, because I could not close the valves; the water was coming in so rapidly.

Mr. Brown, the Chief Officer on the "Powan" said he went round collecting the tickets.

Does not the purser do that?—Yes, with the officer on duty.

When witness had just finished collecting the tickets he felt the ship bump. He could not see any land. There was not much disturbance amongst the passengers when the ship went aground.

Then you went to the assistance of the passengers?—Yes.

Did you see any of the passengers in the water?—Yes.

How did they get there?—Many of them jumped into the water themselves.

When the ship sank was the launch still there?—No it had left.

Did you see anyone left?—No, I think they all left with the launch.

What became of you when the ship sank?—I went on the raft.

Who picked you up?—A sampan.

The sampan took you to the "San Cheung"?—Yes.

Lieut. Butterworth—Are you told to any particular station when the ship is in danger?—Yes.

After the adjournment the pilot, was called. He stated that he was on the bridge at the time, and he indicated the course that was set. From the wheel house he could not see anything outside. The course was slightly altered once or twice. It began to rain soon after they passed a junk near Mawan. Some twenty minutes elapsed and then witness saw a rock on the port bow. He did not see any land on the starboard bow, but when the captain asked him if the land on the starboard side was Mawan witness replied that he believed it was, although he did not see it.

You did not see it properly?—No, sir.

Did you form any opinion why you were there?—The answer of witness was not very clear and when pressed by the President he said he could give no reason why he thought they were near Mawan.

Is that the usual course N. W. by  $\frac{1}{2}$  W?—Yes.

You thought the land looked liked Mawan?—Yes.

You did not see anything on your port side?—No.

You were actually at the wheel?—Yes.

Where was number 2 pilot?—He was below.

Was it the practice on the "Powan" to go sharply to the left after passing Chuug Hue?—Yes.

Questioned by Captain Black witness said he looked at the clock when he passed the rock and it was 9.20 p.m. He thought he still had a mile to run before getting into the Pass.

No. 1 Quartermaster stated that about a quarter of an hour before the "Powan" struck the rock he left the wheel to fetch the Captain's raincoat. The wind was blowing from the south at the time.

Who was at the wheel?—The first pilot.

The lookout man stated he did not see any land after passing the Fairway Buoy.

What was the first thing you reported?—he ship struck the rock.

Did you see a junk?—No.

You mean to tell me you did not report to the captain that there was a junk there?—No.

You never saw the junk?—No.

You must have been keeping the lookout very badly.

What were you watching?—Nothing.

You saw nothing at all that night?—I saw the rain.

The inquiry was adjourned until to-day morning for the evidence of the second officer who is at present on a voyage to Manila.

## HONGKONG SANITARY BOARD.

A meeting of the Sanitary Board was held on June 23rd at the Board Room. The Hon. Dr. J. M. Atkinson (president), presided, and there were also present Hon. Mr. W. Chatham, (Vice-President), Hon. Mr. H. W. Slade, Hon. Mr. Irving, Captain Lyons, Messrs. Shelton Hooper, Fung Wa Chun, Lau Chu Pak, and the following officials—Dr. Pearse, (Medical Officer of Health), Dr. Macfarlane, (Assistant Medical Officer of Health), and McI, Messer, (Secretary).

### PUBLIC HEALTH AND BUILDINGS BILL.

A reply from the Government forwarding copy of amendments to the Public Health and Buildings Bill was read as follows:—"Sir, With reference to my letter of the 26th ult. I am directed to forward the enclosed copy of amendments to the Public Health and Buildings Bill which cover several of the points raised by you. The words referring to consent of mortgagee in sections 189 and 265 (b) have been or will be omitted.—I am, Sir, Your obedient servant,—F. H. MAY."

### W.C.'S IN KOWLOON.

The following reply from the Government was read: Colonial Secretary's Office, Hongkong, 9th June, 1908.—Sir, With reference to your letter of the 14th ultimo and to previous correspondence on the subject of the recent decision of the Sanitary Board to allow water closets in certain buildings in Kowloon I am directed to acquaint you for the information of the Board that in view of the importance of the question of the further introduction of the water closets in the Colony and of the adverse medical and other expert opinion to such introduction, H. E. the Governor has deemed it prudent to amend section 162 of Ordinance 1 of 1903 by the insertion of the words "and the consent of the Governor-in-Council" after the words "without the permission of the Board."—I am, Sir, Your obedient servant,—F. H. MAY."

Mr. SHELTON HOOPER—Sir I think that individual members of this board would be wanting in self-respect if they allowed this letter to pass this board without comment. After reading the letter Mr. HOOPER proceeded—It is well that his Excellency should know the history of the action of the Sanitary Board in this matter. An application was made for a water closet in a house in Kowloon. That was the first—applications not having become general. The Board said they would like to go into the whole question and be advised on the principle as to whether we should have them or not. A committee was formed composed of the Hon. Director of Public Works, myself, and the



Hon. Medical Officer of Health and we considered, the subject being so important that we should ascertain the opinions of medical men and civil engineers. Accordingly we sent out circulars to most of the medical men and civil engineers of the colony. We received those views and I am quite prepared to admit that the majority were against the introduction of water closets and the reasons given were that the Harbour might become silted up and that roots of trees might destroy the drains which would become insanitary and perhaps spread disease. Notwithstanding this adverse criticism the committee viewing it not only from hygienic point of view but from the larger one of expediency and looking at the precedent which had been created in years gone by with regard to a similar committee appointed for a similar purpose in 1895 or 1896 we came to the conclusion that we were not adverse to the principle of water closets but that every application should come before the Board in the same way that has always been done and be dealt with on its merits. It seems to me that to take away from the Board composed of ten by repute intelligent men—two of them members of the Executive Council, four members of the Legislative Council, four sitting here ex-officio as holding high offices in the Government, and two Europeans nominated by His Excellency, one of whom is supposed to look after the sanitation of the troops in this Colony, the Principal Medical Officer—it may be thought that these men would not be actuated by any other motives than that of the general good of the Colony in dealing with any applications that came before the Board. Therefore I am sure that we must feel it a slight on the Board that so simple a matter should be taken away from our consideration and what I think perhaps accentuated the feelings we bear is the language used by the hon. Colonial Secretary in the Legislative Council in which he charged this Board with acting in defiance of the medical opinion of this Colony. Now on turning to the time when this committee's report came before the Board for adoption or otherwise I find that the hon. Director of Public Works was absent but we may take it he supported it as it was his recommendation. Mr. Lau Chu-pak was present, Mr. Humphreys, myself and Mr. Slade and Colonel Martin, Principal Military Medical Officer of South China. They all supported it, the Registrar General and yourself voting against it, the Captain Superintendent of Police and Mr. Fung Wa Chun being absent. I say we did not go against the medical opinion of this Colony by the fact that Colonel Martin supported the adoption of the report. I will now ask leave to refer to the report of the Committee appointed by the Sanitary Board to consider the question of the advisability of adopting the system of water closets in the city of Victoria. They adopted a similar course to ours and sent out circulars which contained twenty five questions and I would just briefly refer to the answers given by several medical men and that of the assistant harbour master. After reading several extracts showing that the writers favoured the introduction of water closets, Mr. Hooper continued, I have quoted these opinions to show what in 1895 was the opinion of an important section of the community on this subject. To-day the drainage is in a far better condition than it was then and our water supply very much superior. If you take the water supply of Kowloon, the actual place in question, it is far better and of greater quantity per head than we have in Victoria. I have made these remarks in order to justify the action which has been taken by this Board and for the information of His Excellency who I am afraid has been ill advised in taking the action he has in depriving us of a portion of our duties given to us entirely by law. I challenge any member of the Government, from His Excellency downwards, and I ask you to support it, to point out one case in which we have abused these powers. I do not propose any resolution but I would ask if the press do report it that a copy may be sent from this Board to the Government.

#### PLAGUE.

The PRESIDENT remarked that members would be pleased to hear that there was a

decrease in the number of plague cases during the past three weeks.

Mr. HOOPER suggested that they might get a return of the deaths from plague in the Canton hospitals which he understood was less than in Hongkong. The Board might get it for what it was worth.

#### HONGKONG VOLUNTEERS.

The annual report on the Hongkong Volunteer Corps for the year ending April 1st, 1908, appears in the *Gazette*. Lieut. Colonel Chapman writes that on March 31, 1908 the total strength of the Corps was 295 as against 289 the preceding year. During the year 68 members had resigned, 3 on medical certificate, 27 in the Colony and 38 on leaving the Colony. The new members enrolled numbered 74.

The Volunteer Reserve Association had on March 31 last a membership of 219, a decrease of 29 during the past twelve months. Rifle practice had been carried on for two days a week throughout the year.

The discipline of the Corps has been very good.

The number of non-efficient who have to pay fines is 12. Four members attended over 100 drills. The highest number 123 was by Corp. A. E. Wright.

Musketry is very popular with the majority of the members of the Corps and would undoubtedly be still more so if the King's Park Range at Kowloon was available more frequently for their use. During the year 52,089 rounds have been fired by members of the Corps and 25,715 rounds have been supplied to the Reserve Association.

The Cadet Company has now 22 members.

A bugle band is being started and a miniature rifle range close to the Victoria School.

In concluding his report Colonel Chapman said: I am indebted to Major Pritchard for the efficient state in which he left the Corps on his resignation on 1st April, 1907, and am glad to be able to report that this standard of efficiency has been maintained, thanks to the willing co-operation of all members of the Corps and to the help I have received from my Staff Officer, Corps Sergt. Major W. Higby and Staff Armourer G. W. Avenell have continued to perform their duties to my entire satisfaction.

#### VOLUNTEER TROOP.

The report, by Lieut. C. H. Ross, Commanding the Hongkong Volunteer Troop, dated 7th January last, on the camp in the New Territories, is published in the current issue of the *Gazette*. Lieut. Ross writes: Sir,—I have the honour to give you herewith a short report on the Volunteer Troop Camp, which was held from the 21st to the 26th December last.

*Site.*—The Camp was pitched on the same site as that selected in 1906, viz., on the Southern slope of the hills at the North end of the Fanling valley, close to the village of Ho Sheung Heung and about one mile distant from Cheung Shui. The site is an excellent one for a small camp, the ground being level and of a dry sandy composition, with a good stream of water alongside flowing direct from the hill top.

*Weather.*—The weather was good, some rain fell on the 24th and 25th December, but did not interfere with our work.

*Tents.*—Ten small tents and two E. P. tents were drawn from the Ordnance Store Department. The E. P. tents were joined together and used as a mess tent. An ample supply of tent-pegs was provided this year, and though we had some strong wind none of the tents were blown down.

*Stabling.*—A temporary matched stable was erected for our ponies, it was an improvement on that put up last year.

*Transport of ponies across Harbour.*—The Army Service Corps being unable to provide a lighter on the 21st December, we transported our ponies to Kowloon by junk. On the return journey an Army Service Corps lighter was provided. I wish again to draw attention to the form of gangway which is provided for the purpose of connecting the lighter with the shore. Last year we were given simple planking about 2½ feet wide, which worked well except that by reason of its narrow width the ponies were apt

to slip a leg over its side,—this year high canvas sides have been added to the planks, and though possibly the arrangement may be excellent for trained animals, it certainly does not commend itself to the China pony. We had great difficulty in getting our ponies to face it, tired though they were after a 26 mile ride. One pony despite our effort refused to enter and as the tide was falling had to be left behind and brought across later in a junk.

I would recommend a plain gangway about 5 to 6 feet in width, with raised edges say about 6 inches in height.

*Attendance in Camp.*—Owing to absence from the Colony, sickness, and other causes the attendance of members was too less than last year.

Our present available strength in the Colony is 24. Of this number, 4 are married men who apparently cannot leave their families at Christmas time, 3 were sick, and 4 were unable to obtain leave of absence from their work. All remaining members attended Camp.

*Work performed.*—The march out to Camp (26 miles) was performed with two halts of about one hour each, in 7 hours; the return journey with only one halt taking just 6 hours.

I attach a map (which please return) showing the roads ridden or walked over by members during our Camp.

I would draw attention to one expedition, which I think was creditable work performed by two sections each under a N.C.O. working from opposite directions, i.e., from the Camp to Sha-Ta-Kok and over the mountain along the frontier to the Samchun River, and back to Camp via Taku-Lin (Kong Ta Han, Block House). The path over the mountain by the frontier is very steep, some 1,500 feet in height, the road being paved and in many places "stepped". The ride, about 24 miles, took 5½ hours in the case of the section working from the North, and 6½ hours for the section approaching the pass from the Southward.

I think the members, who have attended both the 1906 and 1907 camps, have now a very good knowledge of the frontier portion of the New Territories. The ponies stood the work well, and beyond a few falls off bridges and paddy bunds, we had no accidents. I have to report one case of sore back, and two ponies girth-galled, these were treated with the simple remedy of salt and water and were able to carry their owners back to Hongkong without further harm.

A farrier was in attendance, but his services were not required. Last year many of our ponies required re-shoeing or attendance of some kind, this year we covered more ground and theoretically more shoeing work should have been required. I can only ascribe this satisfactory state of affairs to the better weather we enjoyed this year, and consequent drier state of the ground with less suction on the ponies' shoes.

*Saddlery.*—I much regret to report that the leather of most of the bridles and headstalls at present in use, has perished.

Practically every bridle had to be repaired while in Camp, and though some of the breaks were no doubt due to careless handling on the part of the members, I think there is no doubt that the condition of these articles is not good. I would recommend that 40 new sets be ordered from India without delay.

I would also ask that a supply of stout straps for fastening blankets and overcoats to saddles be ordered at the same time; these last named articles we have hitherto procured ourselves locally, but they are not a success.

*Field Firing.*—On Christmas morning, the Troop was divided into two sections and field firing was carried on at small figure targets. The shooting was very fair.

*Sentry Work.*—Sentries were placed over the Camp from 10 p.m. to 6 a.m. Every man present in Camp thus performed from four to six hours sentry-work, during the five days we were out.

In conclusion I would mention that the Camp was pitched in a most satisfactory manner, two temporary bridges built and some roads made by Inspector Hudson, who acts as our Instructor, and whose services were kindly lent to us by the Sanitary Authorities of Hongkong.

The commissariat was attended to by Ying Kee who carried out his onerous duties to the satisfaction of all who were present.



## SUPREME COURT.

Saturday, 20th June.

## IN SUMMARY JURISDICTION.

BEFORE MR. H. H. J. GOMPERTZ (ACTING  
PUISNE JUDGE).

## THE PURCHASE OF A JUNK.

Mau Shi Sam, alias Mau Chi, a trader of 94 Connaught Road, sued Chan Tin Ting alias Chan Yam Ting for \$207.94, being balance due under a promissory note. Mr. O. D. Thomson appeared for the plaintiff and Mr. Otto Kong Sing represented the defendant.

Mr. Thomson said plaintiff was formerly the owner of a junk and on November 14th of last year he agreed to sell it to the defendant for \$1,500, although at the defendant's request the purchase price was put in at \$2,500. On that date an agreement was entered into and defendant paid \$100 on account and the plaintiff signed the agreement of sale and acknowledged having received \$1,000 being the extra \$1,000 representing the difference between the \$2,500 and \$1,500. Defendant on various dates paid instalments and on January 18th a balance of \$700 was due. At the request of the defendant, plaintiff signed two documents, one for \$500 and the other a simple acknowledgement of indebtedness for \$200, the reason being that the stamp on the promissory note would only cover \$500. The \$200 was paid in due course as well as instalments amounting to \$315, leaving \$185 still owing. On June 8th defendant's accountant came to the plaintiff and said defendant was ready to pay the money, but plaintiff did not go until a day or two afterwards. On arrival defendant produced some bags containing coins and asked plaintiff to produce the promissory note and receipt it. This the plaintiff did, acknowledging the receipt of the money in full, whereupon defendant took both the receipt and the bags to a cubicle and then told plaintiff to wait until his father returned. Eventually the police were called and they advised plaintiff that it was a matter for the Summary Court.

Evidence was called, and His Honour entered judgment for the plaintiff for \$185 and costs.

Monday, 22nd June.

## IN ORIGINAL JURISDICTION.

BEFORE THE CHIEF JUSTICE  
(SIR FRANCIS PIGGOTT).

## A BANKING TRANSACTION.

Choy Ho Shi alias Choy Sap Sze Pai sued the Wa Wing Hong Bank and Chan Tun Po. Mr. Slade, instructed by Mr. Stevenson of Messrs. Looker and Deacon appeared for the plaintiff but the defendants did not enter an appearance.

Mr. Slade read a letter from Messrs. Hastings and Hastings in which they said that defendants were not in Hongkong for the purpose of attending the trial and they did not propose to proceed further. The amount claimed was \$10,000 for money lent to the bank by plaintiff. Mr. Slade said that it was an ordinary deposit with the bank, and as regarded the partnership of Chan Tun Po he would formally prove that he was a partner and that it had been so decided in two other cases.

The plaintiff, who was the fourteenth wife of Choy Shung, said she deposited the \$10,000 in the bank on the 6th January, 1906, and neither the money nor interest thereon had been paid to her.

After hearing other evidence, his Lordship entered judgment for plaintiff.

## IN SUMMARY JURISDICTION.

BEFORE MR. H. H. J. GOMPERTZ  
(ACTING PUISNE JUDGE).

## A PECULIAR ARRANGEMENT.

In the action Chan Shan U against Mak Man Hing for \$350 money due on a promissory note or in the alternative money lent, defendant admitted the promissory note but said he did not know the plaintiff. He got the money from another man. Plaintiff said he gave the money to another man to hand to defendant.

Verdict was given for the amount claimed.

## REPAIRING A STEAMER.

Wan Wong, trading as Ah Wong sued Thomas Schjervig for \$325.85 for materials supplied and work done on board the steamer "Progress."

Mr. Otto Kong Sing appeared for the plaintiff, and Mr. A. G. Jackson of Messrs. Johnson Stokes and Master defended.

Mr. Otto Kong Sing said the defendant had gone to the plaintiff who was a contractor with regard to some work to be done to the s.s. "Progress." Plaintiff went to the steamer and the captain pointed out certain work which plaintiff subsequently executed. He was told to go to Cheung Hing with his bill and they referred him to the Captain, who again sent him to the Cheung Hing. He could get no satisfaction, hence the action.

The defence contended that the Captain was not liable.

His Lordship, after hearing evidence, reserved judgment.

Tuesday, 23rd June.

## IN CRIMINAL JURISDICTION.

## BEFORE THE FULL COURT.

## THE MURDER TRIAL.

Judgment was delivered in the motion for the arrest of judgment moved by Hon. Dr. Ho Kai in his defence of the three prisoners who were found guilty by a jury of having murdered three Chinese in December 1906 by the Chief Justice (Sir Francis Piggott) and the Acting Puisse Judge (Mr. H. H. J. Gompertz). The Hon. Mr. Rees Davies (Attorney General), instructed by Mr. Bowley, Crown Solicitor, conducted the case for the Crown, and Mr. M. Slade and the Hon. Dr. Ho Kai, instructed by Mr. G. K. Hall Brutton, appeared for the respondents.

The Chief Justice in delivering judgment said—

At the close of his long argument in this case, the learned Attorney General for some occult reason, which I have been unable to fathom, treated the Court to a solemn recital of certain commonplaces. He particularly enjoined the court to do its duty, reminding us that the case was an important one; and warned us how serious a matter it would be if we tampered with trial by jury in this Colony by acceding to the motion made on behalf of the prisoners. The Court has no need of such reminders; and so far as trial by jury is concerned the remarks were singularly inopportune; for this is not a motion to set aside the verdict of the jury, but to quash a conviction on the ground that evidence had been improperly admitted, on which evidence the verdict of the jury depended: the possibility of these subsequent proceedings being thoroughly understood by the jury when they gave their verdict. I have further to state that I very much object to the *ad hominem* argument in reference to the judgments of learned Judges at home: Such arguments as this "surely you will not overrule so learned a Judge as Mr. Justice Jones" and so on. All the Judges at home must be treated by us as learned Judges, as indeed they are; and so also I may remark as the Judges of this Court. The question we may have unfortunately to decide in case of conflict of opinion between Judges at home is, which in our opinion is the sounder view to take of the point raised before us: the question we certainly have to decide in this case is whether the learned Attorney General's interpretation of the judgments quoted to us is sound. I wish, before dealing with the case, to say one word with reference to the Police. The Court is engaged on an enquiry whether the action of a certain member of the force was legal, and not a little criticism has been indulged in. But it is not hostile criticism. A question of great delicacy and difficulty has been raised, and I trust that what has been said during the argument, and what may be said in the course of this judgment will not in any way discourage the police in the continued zealous performance of their arduous duties. Those duties are very important, and the Colony is dependent for its peace upon their being zealously performed. The fact that a somewhat abstruse point of law may not have been rigorously complied with, supposing we should so hold, must not be taken as—say as

hostile criticism, but only as a guide for the future. It can be but an error of judgment. At the same time I am bound to say that my first experience in a murder case in the Colony in 1905 revealed that there had existed in the past a very wrong custom of allowing prisoners when they were brought up to the Central Police Station to be promiscuously interrogated by the detectives. This seems to have been done away with some time before my arrival, but a vestige of it cropped up in the case I was then trying. There seems to be some misapprehension as to how the question now before the Court came to be raised and in some respects, as will presently appear, the action of the Court itself was challenged by the Attorney-General. Sergeant Wilden was called, and deposed that he went with the widow of Luk Sang, one of murdered men, to the house of No. 1 prisoner at 5.30 a.m. with other Chinese policemen. The prisoner was in bed. He said, that is, in answer to questions put by Wilden, that his name was Wong Fuk and Yum Sing. The learned Counsel for the defence was about to rise to object to the evidence being received, when I asked the witness whether the prisoner knew he was a constable; he answered, "Yes: at least I feel pretty sure that he did." I thereupon rejected the evidence. The Attorney-General continued the examination, and obtained the following statement:—"He opened a camphor wood box, and I searched it and found a watch and chain." Counsel for the defence again being about to rise to object, I thereupon rejected this evidence. The Attorney-General referred to Russell on Crimes Vol. III. p. 510, and contended that although what was said by the prisoner might not be receivable, yet the finding of the watch was receivable as an independent fact. I felt considerable doubt on the subject, and after the recess delivered a short judgment giving my reasons for rejecting the evidence. But I intimated that the question being obviously a very important one to the prosecution to prove, I should admit it and leave the defence to move before judgment, if the verdict was against the prisoners, and I would reserve the point for the consideration of the Full Court under Section 78 of Ordinance 9 of 1855. The Attorney-General then said he would not put the evidence forward: I intimated that I thought he was right in the circumstances. Wilden then deposed that he took the prisoner from the house, and meeting the widow, he arrested him in the road and took him to the Police Station. On the following morning the Attorney General stated that there had been some misconception as to my ruling, though I do not know what it could have been; that the finding of the watch was a point of great importance to the prosecution, and that he therefore proposed to re-call Sergeant Wilden. To this I assented. Wilden then gave the following evidence: "I saw a camphor wood box in No. 1's house by the side of the bed he was lying on. The box was opened by No. 1, and I found a watch and chain inside." He identified a watch and chain, which had previously been identified as belonging to one of the deceased by his widow. In answer to questions by me, Sergeant Wilden then said, "He opened the box in consequence of something I said. I had asked his name. I saw the box by the bed. I said, who does this box belong to? He said it belongs to me. I said open it, and he opened it." I then repeated what I had said on the previous day with regard to reserving the point for the Full Court. There is therefore not strictly speaking a motion in arrest of judgment, but a point reserved under s. 78 of Ordinance 9 of 1855. The Attorney General during his argument contended that although the Court had the right to put these questions the evidence was inadmissible, and that it ought not to have been put before the jury. It will be as well to deal with this point first. It will subsequently appear that this is really the crucial point in the case. I am of opinion that I had clearly the right to put these questions; and that if they had been elicited in cross-examination by the defence I could not have excluded the evidence. The reason for the Attorney General's action and for the limited nature of his questions to the witness was clear. He was anxious to get the fact of the finding of the watch in evidence independently of the means by which the finding had been arrived at. The doubts I



had had on the previous day had not been removed: after my ruling the evidence of the fact of finding could not now be put independently of the circumstances, and it was therefore in my opinion necessary to elicit the whole facts, in order that the question to be ultimately discussed, and which is now being discussed, should be properly raised, by having all the facts in evidence. It was suggested that the evidence of the finding of the watch was on the same footing as if the Sergeant had said "From information I received I found this watch". I do not think that there is any analogy between the two cases. The Attorney General insisted in his argument that it was the duty of the presiding Judge to have made up his mind on the question, and not to have had any doubts. I am sorry I cannot agree. The doubts which I had at the trial continued for a long time and will not be removed till the study of the decision necessary for giving this judgment was complete; but they have at length been removed: and I am satisfied that in following the course which is customary in such cases, I was right: that is to say, to allow the evidence to be put in, and either state a case for or reserve the point for argument before the Full Court, in the event of the verdict being against the prisoners. The advantage of this course is manifest: for to have excluded the evidence might have led to an acquittal, and the Crown would then be without a remedy. To admit it might lead to a conviction, and the prisoner is provided by law with a remedy. It is clear that judgment will not be deferred in order to allow a point of law of this nature to be argued, unless the fact admitted in evidence is of such importance that in the opinion of the presiding Judge the verdict hangs on it. It was apparent that the Crown attached the utmost importance to the finding of the watch in the possession of the prisoner; it was clear to my mind that the verdict must have depended on it; and I have therefore no hesitation in saying that if the evidence was wrongly admitted the conviction should be quashed; if it was rightly admitted, that the conviction should stand. It is clear also that this applies to all three prisoners, for although the watch was found in the possession of No. 1 prisoner, the effect of it would be to set up the story told by the informer, that is to say, his story not only against No. 1, but against all three. The Attorney General while insisting that only the evidence elicited from Wilden by the Crown should have been put to the jury, said that the case he had proposed to put was that the mere finding of the watch in a box by the bedside of No. 1 was sufficient to justify the jury in coming to the conclusion that it was in his possession, and so to convict him. I protest emphatically that is not the sort of evidence on which men can be convicted of murder—in such a case as this assuredly not, for the watch was found 18 months after the murder, and the rest of the evidence, as I pointed out to the jury, was of the shallowest description. Sergeant Wilden's view was I think sound: he thought that the finding of the watch should be accompanied by some evidence connecting its possession with the prisoner. And he elicited this evidence. The question we have now to decide is whether having elicited it in this way it is receivable in evidence or not. I must now do the best I can to unravel the law. It was contended by the prisoners' Counsel that as the initial act of Sergeant Wilden was a trespass and therefore illegal, the whole of the evidence thus obtained was tainted and should have been excluded. I have on a recent occasion expressed the view that the law cannot sanction the doing of a wrong in order that good may come. But whether this can be applied to this concrete case, assuming the premise to be sound, I am in doubt. No authority was cited which went to that extent and I must therefore express my opinion that their argument cannot be supported. With regard to confessions the law can be easily stated. "The rule laid down in Russell on Crimes is that a confession, in order to be admissible, must be free and voluntary, that is, must not be extracted by any sort of threats or violence, nor obtained by any direct or implied promises, however slight, nor by the exertion of any improper influence." This relates to confessions made to ordinary persons. The question is how far it applies to

confessions made to police constables: and this divides itself into two parts:—confessions made after arrest and charge, and those made before charge. Some of the cases deal specially with the former case: e.g. *R. v. Histed*, where Hawkins J. said "In my opinion when a prisoner is once taken into custody a policeman should ask no questions at all without administering previously the usual caution." This point is not involved in the present case, and may be taken to be as above stated. The law, so far as I can gather, seems to have been first laid down by A. L. Smith J. in *R. v. Gavin*: it was not adopted by Day J. in *R. v. Brackenbury*, but from the note to *R. v. Histed*, it appears that Hawkins J. approved of it. The notes to Cox's reports are sometimes valuable because, I think I am right in saying, so far as circuit cases are concerned the reporters sometimes put into a footnote something which the Judge has himself said to them. The note to *R. v. Histed* is clearly of such a nature. I make this remark because in the headnote it is said "Persons about to be taken into custody should not be cross-examined by the police." I refer to this matter also because the Attorney General contended that the emphasis was on the "once taken into custody," and he argued that, therefore, before a person was taken into custody any questions could be asked by the police. I am very doubtful whether this is so, but it is the question we have to decide. I shall revert to *R. v. Histed* again presently. Turning to *R. v. Gavin* there is something very obscure about the report Smith J. said "A prisoner's mouth is closed after he is once given in charge, and he ought not to be asked anything." Then comes this sentence "Before the prisoner is charged or is in custody he may be asked what he has to say in explanation or in answer to the charge." I do not see how a man can answer or explain a charge before he is charged. The question what the police may do in the way of enquiry before charging a man has been dealt with in a few cases of some importance, and the issue before us is stated in them very distinctly. Cave J. gave a deliberate opinion in *R. v. Male*: and this derives additional force from the fact that it was given in the same year, and after he had delivered the judgment of the Court of Crown Cases Reserved in *R. v. Thompson*, apparently being chosen by the other Judges to do so. It was afterwards approved in general terms by Lord Russell C. J. and Matthew J. in *Rogers v. Hawken*. The facts in *R. v. Male* were as follow.—Two women, Male and Cooper, were indicted for performing an illegal operation on a third. This woman had made a statement to the police. On the arrest of one of the other women the inspector cautioned her, and on the road to the station asked her questions, based on the statement of the woman already made. The evidence of what she had said was disallowed. The important parts of Cave J.'s Judgment are these. "The police had no right to ask questions, or to seek to manufacture evidence, or to charge the prisoner with an offence for which they had no warrant. It would be monstrous if the law permitted a police officer to go, without any one being present to see how the matter was conducted, and put a prisoner through an examination and then produce the effects of that examination against him. Under these circumstances, a policeman should keep his mouth shut and his ears open. He is not bound to stop a prisoner in making a statement; his duty is to listen and report, but it is quite another matter that he should put questions to prisoners. A policeman is not to discourage a statement, and certainly not to encourage one." I may note in passing that one of the effects of Sergeant Wilden's examination was the discovery of the watch in the possession of No. 1 prisoner. Lord Russell C. J. in *Rogers v. Hawken* said that these observations were "perfectly just": and Hawkins J. in *R. v. Miller* said he did not express dissent from any of the cases cited, among which was *R. v. Male*. But in both these cases statements elicited by the police from the prisoners before they were arrested were admitted. It is therefore clear that we ought to be able to find the true rule between these two sets of cases. *Rogers v. Hawken* was a case of cruelty to animals. The defendant's servant, Yost, had made a statement to a policeman incriminating his master. An officer of the Society for

Prevention of Cruelty to Animals, in company with this policeman asked the defendant: "Is it true that your carman told the police you sent the animal out and knew it was lame?" to which the defendant answered "Yes, I sent Yost out with it." Nothing was said as to the likelihood of proceedings: but the Society's officer was in uniform. The Divisional Court held that *R. v. Male* must not be taken to lay down the proposition that a statement of the accused made to a police constable without threats or inducement is not in point of law admissible. If there were such a rule the statements of innocent persons might be excluded. It is to be observed that this does not specially allude to answers to questions put by the policeman: but in view of its application to the facts of the case it may be presumed that it covers this ground. The Court held that the evidence so obtained was admissible on the ground that there was no threat or inducement held out, presumably by the policeman. In *R. v. Miller* a detective inspector had called upon the prisoner, who was suspected of murder, and had said to him "I am going to ask you some questions on a very serious matter, and you had better be careful how you answer." He proceeded to question him as to his movements on the night of the murder and the following morning, had asked him to produce his clothes and to account for the bloodstains on them; and after the conversation he took him into custody on a charge of murder. Hawkins J. admitted the evidence on the ground that there was no threat, nor any duress exercised towards him, that they were voluntary statements which the prisoner was under no obligation to make. He added that it was impossible to discover the facts of a crime without asking questions, and these questions were properly put. I wonder whether the explanation of this case is that the detective was in plain clothes. But I am not entitled to assume this. Some things I think are clear: that a statement made by a person to a policeman before he is charged is admissible: that a statement made to a detective in plain clothes who has entered into conversation with the prisoner subsequently arrested, even though he has been led on, as distinguished from making a threat or holding out an inducement, would be admissible: thirdly, that if a policeman in the course of his general enquiries gets an answer from a person which is tantamount to a confession then that is also admissible. But this does not bring the dividing line into very clear prominence: and I put this question—Would the rule laid down in *R. v. Male*, be applicable to the facts of *R. v. Miller*? The only distinction apparent on the face of the reports is that Miller was not arrested when the questions were put, and the woman in *R. v. Male* was in custody but not charged: There is this difference to be noted in the judgments: that whereas in *R. v. Male*, reference is made to the duty of a police constable broadly, in *R. v. Miller* and *Rogers v. Hawken* emphasis is laid on the fact of the absence of any inducement or threat: so that the law would seem to be that before a person is in custody a policeman may ask any questions he likes, and only comes under the general law, the answers being admissible in the absence of any threat or inducement. I cannot honestly say that I believe this to be the law; but it is the only statement which reconciles all the decisions. On the other hand it is worth while enquiring what may be the genesis of the rule as to police constables such as it is given in *R. v. Male*. I cannot help thinking that it is the concrete embodiment of the law as to threats or inducements: the officer of the law embodying the threat of the law. There is a passage in Sir Fitz-James Stephens' General View of the Criminal Law of England which would warrant this view—"There are, however, other interests to be considered, of which one of the most important is the popularity of the law. It must never be forgotten that the poor and ignorant are the persons most affected by the administration of criminal justice; and the ministers of justice, with whom they have most to do, the police, have just the amount of intellectual and social superiority to day-labourers, and the lower class of mechanics, which makes them the objects of peculiar jealousy, and renders it desirable to take special precautions against abuses of their power." But this would apply



as well before custody as after; and would exclude confessions made to a person known to be a police constable or person in authority—such as an inspector of the Society for Prevention of Cruelty to Animals. I must notice *R. v. Berriman* because there a much simpler principle was laid down by Erle J. "By the law of this country, no person ought to be made to criminate himself, and no police officer has any right, until there is clear proof of a crime having been committed, to put searching questions to a person for the purpose of eliciting from him whether an offence has been perpetrated or not." There were rumours that a certain woman had been delivered of a child and had concealed it; and questions were put to her by the police which criminated herself. I confess that I do not see much distinction between such a case and the present one where there was a rumour that No. 1 prisoner had committed the murder. The probability of a crime having been committed by a certain person cannot affect the duty of the police and make it different from the case of probability of a certain person having committed a crime. Erle J's opinion seems to me therefore to cover the present case. But it stands alone, and though still quoted in Archbold, is in conflict with the more recent decisions to which I have alluded. In *R. v. Miller*, Hawkins J. said "Every case must be decided according to the whole of its circumstances." I do not like the circumstances, in which this confession was obtained; but I may act in strict conformity with the rule laid down in *Rogers v. Hawken*, applying to it the test of a voluntary confession as laid down in *R. v. Thompson*, it is not voluntary if it is obtained by any sort of violence. And I am clearly of opinion that for three or four policemen to go into a man's bedroom at 5 a.m. and wake him up, and ask him questions, which were intended to and did, make him criminate himself is an undoubted act of violence; and that the statements made by him in the circumstances are not voluntary, and are therefore inadmissible. I have so far assumed that there was an actual confession in this case. The Attorney-General strongly contended that there was no confession. By confession I understand, not necessarily a full confession of guilt, but any statement made which, being relevant to the issue, may be put in evidence against the person making it. The evidence as to what took place must be taken from the second occasion when Sergeant Wilden was in the box. The statements made by the prisoner were the answers to the questions as to his name; and the answer to the question "who does this belong to?" He said "it belongs to me." Now stopping here, I have no doubt whatever that this was a very material admission. Not perhaps from the Attorney-General's point of view, who candidly admitted that he wanted to omit what actually took place, and the jury to infer from other circumstances that the box belonged to the prisoner. I do not much care for such a method of conducting a prosecution for murder, even though it be with a view to avoiding a difficult point of law; but the question was put by Wilden with a definite intention, and he obtained the information he expected and wanted. But there is more, it requires no argument to support the proposition that a confession as I have above defined it may be by gesture just as much as it may be by words, and therefore the following must be incorporated into the confession "I said open it, and he opened it." Taking the words and acts of the prisoner together, I think they amount to a confession, of what? of the fact that the prisoner had the watch subsequently identified as belonging to the deceased, in his possession. This is what in fact occurred, and I think it would be wrong to say, Oh you can omit all this, and treat the question as if the watch had been found in the box by Sergeant Wilden, the prisoner not taking any part in what happened, or even being absent. I now come to the point on which at one time I felt great difficulty. It was very strenuously argued by the Attorney General that the fact of finding the watch might be put in evidence even though the knowledge as to where the watch was obtained by confession not admissible in evidence. I take the law as is stated in Sir Fitz James Stephens "General View" which is in agreement with all the other books. "One point with relation to confessions is well

established. If in consequence of a confession improperly obtained collateral information be procured the information may be used though the confession may not. For instance if the prisoner points out the place where property is hidden and if it is found there the fact of the finding and the fact that the prisoner gave directions may be given in evidence though the particulars of his statement may not." There seem to be some modern cases which do not quite bear out this last sentiment but this is not material to this case. But the prisoner did not point out the place where the watch was hidden; and this at once excludes the application of all the cases which were referred to, for they have no relevancy to the present case. I take this to be clear, that the finding of the watch, had it been found without anything being done by the prisoner would have been evidence. I should then have warned the jury, having in view the other evidence, of the great danger of convicting the prisoner of murder in the circumstances because it was of itself too slender to substantiate the other facts of the case, much of which was worthless; and specially because the identification of the watch as being that of the deceased was of the most unsatisfactory nature. I allude particularly to the five minutes playacting in which the widow of the deceased indulged before she would identify it. And I should have warned the jury still more emphatically that if they allowed this evidence to substantiate the other facts of the case, it would involve the setting up of the story of the informer, which I have no doubt as I told the jury was in all incidents of his relations with the prisoners, a tissue of falsehoods; and if this were set up, it might lead them to find all three prisoners guilty. In these circumstances if the jury had found all three prisoners guilty there could have been no such motion as has now been made; and the prisoners would have had nothing but the prerogative of mercy to fall back on. But the evidence which was put before them enabled the jury to accept the prisoners' possession of the watch as an admitted fact; and on that without doubt their verdict hung. This evidence was wrongfully admitted, and we have not to inquire what they might have done in other circumstances, but simply to deal with the facts as they are. I think therefore that the conviction should be quashed. I have only to add one word in consequence of what was said by the judges in *Rex v. Birdy*. Have I "sacrificed justice and common sense, not at the shrine of mercy but at the shrine of guilt?" I say in this case, emphatically, no. I have already glanced at the unsatisfactory nature of the evidence. I will deal with it now more generally; there are only two facts certain in the case: the three men were murdered and that the informer was among those who committed the crime; but as to the facts related by the informer, and by the principal witnesses for the Crown, especially by the widow of one of the deceased there was not one flimsy particle of truth in it: the real facts of the case were carefully kept back by those who only knew them, and the most ridiculous cock and bull story put in their place. What the true facts of this most dastardly murder were we are not likely ever to know; nor whether the real murderers were not four but twenty-four. I will go further and say that I have grave doubts whether fang shui had anything to do with the case. The jury have found the prisoners guilty probably from some weakness which they detected in the prisoners' defence, but certainly not on the direct evidence offered by the Crown.

The Puisne Judge said—This is a question of law as to the admissibility of certain evidence arising on the trial of an indictment at the Criminal Sessions for the month of May which has been reserved by the Chief Justice for the consideration of the Full Court under section 78 of the Criminal Procedure, 1899. Now the matter which is objected to is contained in the evidence of Police Sergeant Wilden and it may be divided into three distinct parts.

Firstly, the statement made by the prisoner No. 1 in response to a question put to him by the sergeant.

Secondly, the fact that the box was opened by No. 1.

Thirdly, the words "I searched the box and found a watch and chain"—and also the production of the watch and chain by the witness.

Now the first objection taken on behalf of the prisoners was a general one. Mr. Slade argued that the police officer, not being armed with a warrant, acted illegally in:—

(a) entering the house;

(b) searching the premises;

(c) removing property he found there and that therefore evidence of everything that happened consequently upon the entry was inadmissible and should have been excluded. It was put to us that though a police officer if he sees an indictable offence committed, may follow the offender into his house and arrest him on pursuit, yet that under no other circumstances may he enter a house without a warrant; and we were asked to reject the whole of the evidence obtained by this illegal entry. Now it is very desirable that the general principles of law applicable to arrest without a warrant should be easily ascertained—clear and definite. A person who arrests another with a warrant usually does so because he must act instantly if he is to act at all and he ought to be in no doubt as to his own duties and liabilities. But unfortunately the details of the law on the subject are very complicated and its principles are not easy of comprehension. The statement of the law given at III Russell on "Crimes" p. 110 appears to be a fair summary of the views of the older authorities on the power of a police officer without a warrant to break open doors to effect an arrest, as follows:—"Though a felony has been actually committed yet a bare suspicion of guilt against the party will not authorize a proceeding to this extremity unless the officer comes armed with a warrant from a magistrate grounded on such suspicion. For where a person lies under a probable suspicion only and is not indicted it is said to be the better opinion that the breaking open outer doors in order to apprehend him cannot be justified—or must at least be considered as done at the peril of proving that the party so apprehended upon suspicion is guilty. But a different doctrine appears to have formerly prevailed on this point—by which it was held that if there were a charge of felony laid before the constable, and reasonable ground of suspicion such constable might break open doors although he had no warrant." The law is here stated in somewhat general terms. In the reported cases the discussion seems usually to have been concerned with one of two questions. The One—what would be the consequences to the surviving party if upon attempt to arrest without a warrant the officer killed the accused or was killed by him; in other words what would be the legal responsibility of the survivor? The other question—what would be the position of the officer on an action of trespass for breaking and entering—would he have a good defence, if without a warrant? I can nowhere find it suggested that the legal effect of a tortious entry would be to shut out evidence of what took place after the officer entered and in my opinion such a novel principle would require to be supported by the most unimpeachable authority. Now in the case before us it does not appear from the evidence nor was it suggested in argument that there was any "breaking" of the house in the technical sense by the police in order to effect their entry. The Court will not presume illegality and on the assumption that a "breaking" would have been illegal I think it only reasonable to conclude either that the door was open—or more probably that it was opened to the police from within. If this was so the circumstances would resemble those in the case of *Smith v. Shirley* (3 C. B. 142) an action of trespass where, the door having been opened from within to the defendant by an inmate of the house and that there being no warrant the Court thought a plea of justification would have been good if it had showed distinctly not only that there was reason to believe that the suspected person was within; but also that the defendant entered on a reasonable suspicion of felony and for the purpose of arresting him. Is not that case an authority for saying that the police sergeant in the circumstances before us might have a good defence to an action for trespass? In my opinion it is. In any case I wish to make it clear that though it is highly desirable for a police officer to be fortified with a warrant when he makes forcible entry, in order to run no risk of possible complications, I refuse to lay down as a general principle that the police are under



no circumstances justified in entering without a warrant the house of a person reasonably suspected of felony if that person is in fact within. Nor can I accept the principle that an officer's only justification would be that he had entered, on pursuit after a hue and cry. It is I hope unnecessary to point out the importance of obtaining a warrant where circumstances permit of the desirability of an officer's making due demand and clearly declaring his authority. For the reasons I have given I think that in the case before us there is no proof of any illegal entry and the first objection therefore falls to the ground. I desire, however, to remark that even if it were clear that the sergeant had in entering the house committed an actionable trespass that would in my view be no ground whatever for shutting out any evidence otherwise admissible for what he may have discovered inside. To put an absurd hypothesis: supposing a person burglariously entering the house, had by the use of torture forced the prisoner to deliver up all his valuables, could it be seriously argued that, if property tending to connect the prisoner with a serious crime were thereby brought to light, the court would be bound to exclude from the jury the finding of that property and the facts attendant on such finding? I think that no such argument would be listened to. So much for the general objection. I will now proceed to examine the obnoxious evidence in detail. Taking first of all the words spoken by the prisoner "It—this box—belongs to me." This clearly is in law "a confession" by which I understand any admission whether by words or conduct, not necessarily an acknowledgment of full guilt, made by the accused, which it is desired to use against him. Its admissibility therefore must of course be governed by the general rules applicable to this class of evidence. I think the principle may be stated succinctly as follows: a confession must be excluded if it was made in consequence of any inducement of a temporal character, connected with the accusation, held out to the prisoner by a person—having some authority in the matter of the accusation: and it must also be excluded—I think it necessary to add these words—if it was not made freely and voluntarily. The burden of proving the admissibility of a confession tendered in evidence lies on the prosecution, the question of deciding admissibility being for the Court. Now the question of the admissibility of a confession is constantly arising both before Magistrates and at Criminal Sessions and it is very desirable that the law governing it should be clear and definite. But as a matter of fact, so difficult is it to apply a principle of law to the varying circumstances of individual cases that many of the most recent decisions seem to conflict with each other and the text books after stating generally the broad principles of the law as the learned authors conceive it, content themselves with marshalling conflicting cases on either side of the line. It is with the very greatest diffidence therefore that I shall endeavour to examine in the light of previous decisions the circumstances of the case before us, in the hope of arriving at a conclusion which I can support by an appeal to legal principles. There is of course no doubt that a sergeant of police falls within, is indeed a typical representative, of the class of persons having authority in the matter of an accusation. Can it then be said that there was here any inducement held out by him to the prisoner? Did he work on the latter's feelings whether by hope or fear in order to extort a disclosure? The reply must be that there is no evidence of anything of the kind. No expression or threat was proffered and no implication of anything of the sort is raised by the evidence. Then if there was no inducement, was the confession therefore free and voluntary? Here I begin to find myself in considerable difficulty. If the answer was free and voluntary it is of course admissible. I have disposed of the question of inducement: therefore putting that question entirely on one side I will ask—must an answer from the accused to a person in authority be held to be voluntary, provided only it was preceded by no inducement of any kind? Perhaps I had better go further and enquire—when is a person in authority allowed by the law to put questions to the accused? Leaving out of the question the special provisions of the Cri-

iminal Evidence Act—the reply must be; Certainly not in open Court. Neither Judge nor Jury is permitted to interrogate a prisoner upon his trial. Any perfectly spontaneous statement the accused may volunteer to the Court can of course be used against him. It is true that when any person is charged before a magistrate with an indictable offence with a view to committal it is provided by Statute that he must be asked by the magistrate after the case for the prosecution has closed—whether having heard the evidence he wishes to say anything in answer to the charge. But the same Act provides a formal caution which begins "you are not obliged to say anything unless you desire to do so". This, a very important provision, is intended of course to make it absolutely clear to the prisoner that though the law allows him to speak he is under no compulsion to say anything at all. Let us go back to the first arrival of the prisoner at the Police Station after his arrest. Here again he may not be interrogated by any one, but it is necessary that he should understand what is the charge against him. Prisoners however on being charged very often make statements of one kind or another and therefore in this Colony at least a formal caution is always administered to them before any statement they may make is taken down. This caution begins with the same words "you are not obliged to say anything unless you desire to do so". Can any distinction be made when the prisoner has not been charged and has not been even formally arrested, but is interrogated by a Police Officer acting in his official capacity. I think a very illuminating case in this connection is that of *Regina v. Baldrey* (2 Denison 428). Here a constable having arrested a man on a charge of murder told him the nature of the charge and administered the following caution: "He need not say anything to criminate himself—what he did say would be taken down and used as evidence against him". A confession was thereupon made by the prisoner. Counsel for the prisoner stating that the question was whether the words addressed by the constable to the "accused" held out to him the promise or assurance of any wordly advantage, as the consequence of making a statement; or a threat, of harm to himself as the consequence of refraining from doing so: the judges held unanimously that nothing of the sort could be implied from the words used and they also held that the confession was rightly received in evidence because the prisoner must have known that he need say nothing unless he chose to do so. In the course of his judgment Pollock C. B. remarks:—"A simple caution to the accused to tell the truth, if he says anything, has been decided not to be sufficient to prevent the statement made being given in evidence. He is reminded that he need not say anything—but if he says anything—let it be true. But where the admonition to speak the truth has been coupled with any expression importing that it would be better for him to do so, it has been held that the confession was not receivable, the objectionable words being that it would be better to speak the truth, because they import that it would be better for him to say something. The true distinction between the present case and a case of that kind, is, that here it is left to the prisoner as a matter of perfect indifference whether he should open his mouth or not". Baron Parke said:—"By the law of England in order to render the confession admissible in evidence it must be perfectly voluntary". Now, I refer to these judgments, especially to that of the Lord Chief Baron, because of the stress there laid on the importance of it being brought to the knowledge of the accused that he need not say anything at all, and I find therein the solution of a very difficult problem the proper construction of the word "voluntary". Here then we have a test suggested by the Chief Baron and Mr. Baron Parke. Applying that test to the materials before us, did the prisoner in this case make voluntary confession? Did he understand that when Sergeant Wilden asked him whose the box was, he was at liberty to answer or not as he thought fit and that if he replied the words of his answer would be proved against him at his trial? There are a number of earlier cases in which confessions made to the police or other persons in whose custody they were by the accused have been held admissible,

on the ground that the negation of any inducement was conclusive evidence that the statements were voluntary. But as pointed out by the learned editors of *Cox's Criminal Law Cases* in a note to *Regina v. Garin*, vol. 15, at p. 657, in most of the cases usually cited to establish this proposition the Judges are by no means unanimous and almost all of them express disapproval of the practice while admitting its technical accuracy. In *Reg. v. Kerr* 8, C. and P. 176 Parke says:—"But I must say that in this particular case there does not appear to have been anything improper in the conduct of the policeman though treating it as a general question I think it should not be done." In *Reg. v. Thornton Moody* 27, the majority of the judges held the confession rightly received on the ground that no threat or promise had been used, but Best, Chief Justice Bayley, and Holroyd, J. were of the contrary opinion. In *Reg. v. Wild Moody*, 452, the judges, while unanimously of opinion that the confession was strictly admissible, much disapproved of the mode in which it had been obtained. Now a sergeant of police is clearly an officer of public justice although a subordinate one. I find great difficulty in accepting the position that he may obtain evidence out of the prisoner's own mouth in a manner of which the Court disapproves and thinks worthy of censure, and that such evidence may be used at the trial against the person who has furnished it. If the law really allows such statements to be obtained and the Courts, though disapproving, admit them as a proof of guilt it can not be blamable for a policeman to obtain them. He may, if the protest from the Bench have any weight, be endangering his own professional prospects; but he can conscientiously feel that he is promoting the cause of justice and the safety of the public. During the course of a very learned and exhaustive argument many modern decisions were cited to us on either side. One case in particular, *Rogers v. Hawkin*, (78 L.T. 656) was relied on both by Mr. Slade and by the Attorney-General. It was argued for the Crown that the decision being that of a Divisional Court was binding upon ourselves. While it is quite clear that the only English judgments binding upon this Court are those of the Privy Council, there is no doubt that we shall examine English decisions with very great respect and I desire to make a few remarks upon the more recent cases. It is not easy to reconcile *Reg. v. Brackenbury*, 16 Cox, 628, (1893) with *Reg. v. Gavin*, 15 Cox, 657, (1885); or the ruling of *Hawkins, J.* in *Reg. v. Miller*, 18 Cox, 54, (1895), with that of the same learned judge in *Reg. v. Histed*, 19 Cox, 17, (1898). Yet these four decisions were all delivered within the space of 13 years and were duly reported in Cox. When I come to compare *Regina v. Male*, (1893), 17 Cox, 689 with *Rogers v. Hawkin*, 78 L.T. (1898), 655, I find that Lord Russell in giving judgment in the latter case states that he regards the observations of Cave, J. in *Regina v. Male* as perfectly just in the circumstances. Now the two decisions seem almost hopelessly at variance and it is by no means easy to find any essential point of difference in their circumstances. If it were impossible to reconcile these two decisions I would merely say that I prefer the reasoning of Mr. Justice Cave to that of the Divisional Court. The former is in conformity with the principle recognized in *Reg. v. Baldrey* and supplied a clear and intelligible rule of universal application. But possibly, in the later case the relative position of the parties may have had considerable weight with the Judges. The owner of the horse and cart might have very well been aware that he was not under any compulsion to answer the question put to him and if so his replies might be held to be free and voluntary. Again it does not appear, that, though a police constable was present, the accused was at any time under arrest, or detention, or in any danger of anything of the kind. The charge again was for a petty offence punishable summarily with a maximum fine of £5; the accused was presumably a householder and the usual mode of proceeding would be by summons in the first instance. So on the whole I think the Court might well have held that the defendant was a free agent when he made the statement. I can see no other way of reconciling the decisions but I have endeavoured to do



so in view of the express acceptance by Lord Russell of the clear and unambiguous judgment of Cave J. In any case I accept the law as laid down in *R. v. Male* and I think it perfectly applicable to the circumstances of the case before us. We find here that a police officer with a posse of men goes to the house of the accused in the morning before sunrise and puts to him a question the answer to which may tend to prove his participation in an alleged murder. Now I am not suggesting that the police sergeant meant to act at all unfairly—Nor again do I suggest that he thought he was doing anything illegal. He was merely doing what I expect many police officers do in similar circumstances. Perhaps he was not even thinking that the prisoner's answer might be used at the trial. But he was interrogating the accused under such circumstances that I am not satisfied that the answer obtained was a voluntary one. Assuming that the box did belong to the prisoner and that he knew the watch was inside it can it be for an instant supposed that had he not been questioned he would have volunteered the information that the box was his. It was pressed on us for the Crown that the prisoner was not taken into custody until after he had made the statement, and that in the cases on confessions a sharp line is drawn between confessions made when the prisoner is and those when he is not under arrest. I admit that the distinction may often be a very real one. Voluntary statements may frequently be made to a police-officer by suspected persons who are unaware of his identity. Or again the circumstances might possibly be such as to make it apparent that the answers of the accused were quite voluntary. In the present case, however, the distinction seems to lack actuality. It is impossible to doubt that from the moment the police had entered the house the accused was for all practical purposes as much under restraint as if he had been formally arrested. I make no doubt that if he had jumped up and attempted to escape he would have been at once secured and I think that he must have been well aware that he would not be allowed to leave the premises. Under these circumstances it seems to me that the sergeant had no right to put any questions to the accused, or certainly not, without previously administering a caution, and that consequently the answers returned by the prisoner cannot be shown to have been voluntarily given and are inadmissible against him; I venture to think that the English decisions when weighed and considered as a whole will not be found inconsistent with the conclusion at which I have arrived. In any case it would have required very clear and unambiguous authority to lead me to reject the principle I find laid down in *R. v. Baldry*. Now the Attorney General argued that even if it were held that the statement of the prisoner was inadmissible *per se* it should nevertheless have been received in evidence because it led to the finding of the watch: the rule being that where property has been discovered in consequence of an inadmissible confession then the fact of the discovery of the property may be proved with so much of the confession as strictly relates to such fact. I fully admit the validity of the principle which however in my opinion has no application to the present case. Here the confession merely related to the ownership of the box and had no reference whatever to the finding of the watch though it did tend to connect the watch when found with the accused. Had the question been—where is the dead man's watch and had the prisoner in reply indicated the box—then no doubt when the watch was found, evidence of the finding and perhaps the statement which led to the finding would be properly admissible. It does not appear that the finding was a consequence of the prisoner's reply because it was admitted for the Crown and indeed it seems probable under the circumstances that the box would have been searched whatever the reply of the prisoner had been. On all grounds therefore I must hold that the prisoner's statement was inadmissible and was wrongly left to the jury. I will next proceed to deal as briefly as possible with the remainder of the evidence which it is said was wrongly admitted; that is, *Secondly*: the opening of the box by the prisoner. I fully admit the contention that acts or gestures may under certain circumstances be as much a confession as spoken words

and that the same test of their admissibility will then apply. But it must be quite clear that if an act or gesture be so explained by the accompanying circumstances that it is quite evident that it does not amount to a confession at all, that it is not an admission of anything: then proof thereof cannot be objected to if it is otherwise relevant to the issue. Now we have it in evidence that Sergeant Wilden told the prisoner to open the box and that the prisoner did so. Would it under these circumstances be possible for the jury to draw any inference as to the ownership of the box from the fact that the prisoner opens it? One man orders another to open a box—that the other, believing that he is bound to obey does so, surely no inference of ownership lies? The action thus explained becomes perfectly colourless and unobjectionable it is neither an admission nor a confession, for it neither admits nor confesses anything at all. Then *Thirdly*: There is the evidence of Sergeant Wilden. I searched the box and found a watch: and the watch and chain were then put in as an exhibit. Now it was said that the finding would not properly be proved and that the watch and chain ought not to have been put in as evidence against the prisoner. The evidence was objected to because either the watch was found in consequence of an inadmissible confession—or if it was not so found because the sergeant had acted illegally and improperly throughout. I will deal very shortly with this part of the argument. It is clear law that the fact that property has been discovered, where the discovery takes place in consequence of an illegal confession may always be proved. See the cases referred to at Phipson's Evidence p. 232 and I would add to them the comparatively modern case of *Rex v. Bersiman*, 6 Cox 388. If therefore the watch was found in consequence of the confession the finding of it is admissible. I have already said however that in my opinion the watch was not found in consequence of the confession. That being so is there any reason why the finding may not be proved as an independent fact? I do not see that the question of any illegality committed by the police has anything to do with the matter. I think therefore that evidence of the finding of the watch was clearly admissible. I will now sum up the conclusions I have arrived at on this evidence: I find firstly: that the prisoner's statement "it, the box belongs to me," was inadmissible. I find secondly that the evidence that the prisoner opened the box was quite unobjectionable: the act of opening being under the circumstances neither confession nor admission, but a perfectly colourless fact, part of the *res gestæ*. Thirdly: The evidence of the finding of the watch was rightly admitted. I know of no legal principle on which it could have been excluded. It was urged on us by the Attorney General that this statement of the prisoner was in fact no part of the case for the Crown, that he desired to omit it altogether and that had he been allowed to do so. It was still quite competent for the jury to infer from the box being in the prisoner's room, and quite close to his bed that it was in fact the prisoner's property. The Crown not depending on this statement and its admission not being of any possible benefit to the prisoner he maintained that it was the duty of the court to instruct the jury to disregard it altogether, or even, if necessary, to discharge the jury and order a fresh trial. The Attorney-General further argued and I suppose he felt bound to do so that as this piece of evidence was left to the jury against his express desire—its inadmissibility cannot vitiate the verdict, more especially as without this statement there was sufficient legal evidence to support the finding of the jury. Now this was a matter depending on the point of view of the judge who tried the case. Had the learned Chief Justice taken the view I take of the occurrences which make up this transaction it would have been quite unnecessary to leave this confession to the jury. In my view, of course I may be quite wrong, the question and answer might perfectly well be treated as an isolated incident inadmissible in itself but on which nothing turned: and leading to nothing: in my view again the whole of the rest of the evidence was admissible. The Chief Justice, however, ruled and I understand that his ruling still is—that no part of what happened within the

house of the prisoner subsequently to the question put by the Sergeant was admissible in evidence at all, but in fact that the prisoner's statement: his opening of the box and the finding of the watch by the police officer all went to make up one continuous transaction which must stand or fall together. Now the finding of the watch was an integral part of the case for the Crown and the Court being unwilling to exclude it altogether, but being doubtful if it could be properly admitted thought it right as I imagine that the transaction should go to the jury as a whole, subject to the reservation of the point of law. Under these circumstances the law is in my opinion perfectly clear. There can be no doubt that a conviction is bad if evidence which is inadmissible has been allowed to go to the jury to the prejudice of the prisoner, even if without it, there was legal evidence amply sufficient to support a conviction. This is so, though the objectionable evidence was not elicited by the prosecutor at all but spontaneously volunteered by a witness, and though prisoner's Counsel raised no objection to its being received. The grounds of the principle shortly stated are that a Court of Criminal Appeal has no means of determining how far the jury in arriving at their decision have been influenced by the inadmissible evidence. I have no doubt therefore that the verdict cannot stand. Further there is no question that the finding of a watch alleged to be the property of one of the persons whose death formed the subject of this indictment in the possession of the last prisoner might have been accepted by the jury as confirmation of the evidence of the informer against all the accused: and this being so the conviction must be quashed and all three prisoners must be discharged.

The Attorney General applied for leave to appeal to the Privy Council but the Chief Justice refused the application.

Wednesday 24th June.

IN ORIGINAL JURISDICTION.

BEFORE THE CHIEF JUSTICE  
(SIR FRANCIS PIGGOTT).

ACTION TO RESTRAIN AN ADMINISTRATOR.

To Kau, a widow, 22 Caine Road, brought an action to restrain H. Percy Smith, administrator of the estate of the late Tong Ping E, from declaring that 260 shares in the Central Stores, Limited, did not form part of the estate and an injunction restraining defendant from representing to the directors thereof that the said shares were part of the estate, and that the accounts of the dividend and interests be made up and paid to the plaintiff.

Mr. Slade, instructed by Mr. P. M. Hodgson, appeared for the plaintiff and the administrator was represented by the Hon. Mr. H. E. Pollock, K.C., instructed by Mr. Crowther Smith.

Mr. Slade explained that the Central Stores were neutral. They were entitled to retain certain money in respect of calls due. Proceeding, he said that he would prove that the deceased Tong Ping E lived with the plaintiff, his second concubine, for 20 years and about ten months or so before his death he gave her those shares for her maintenance and executed the transfers, making a good execution. She kept the shares in her possession for some time but prior to his death she went up to Shanghai leaving the shares in his charge as certain calls fell due. He went into the country and shortly afterwards died. On hearing of his death she went into the country and saw the other wives who knew of this transaction, as none of his property in the country was left to her in view of the provision he had already made for her with regard to those shares. She returned to Hongkong and took her certificates to Messrs. Ewens and Harston and the shares were sent for registration but were refused. About this time a family meeting in accordance with Chinese custom took place at the home of the deceased in the country and a divisional paper was drawn up showing the allocation of the deceased's property among the various members of the family. There were three sons, infants, and copies of the paper were given to their mothers to hold.

Mr. Pollock—Surely my Lord that cannot be relevant?

Mr. Slade—I shall show you very clearly how it is relevant.



Mr. Pollock—There was a family agreement?  
Mr. Slade—Yes, there was a division of the property among the members of the family. It was done in the most formal way in the presence of the elders of the clan.

Mr. Pollock—I must formally take objection to all this. This family agreement is not pleaded. She pleads her title, that the shares were a gift to her.

The Chief Justice—As the question of gift may be at issue I cannot exclude it at this stage.

Mr. Slade—The deceased had left instruction as to the division of his property.

Mr. Pollock—That also I object to as not being evidence.

Mr. Slade—The administrator cannot put himself in a better position. I submit that a statement made by a man is evidence against himself. It is evidence against his personal representative.

His Lordship—What attitude does the administrator take up—not hostile?

Mr. Pollock—No. We require the transaction to be proved. It is obvious that the only transfer of any validity would be the transfer to her name in the books of the company.

Mr. Slade went out to explain that the will of the deceased provided for all the other members of the family and there was no mention of this family and there was no mention of this property. They were known to the family to belong to the plaintiff.

The hearing was adjourned.

Thursday, 25th June.

#### IN SUMMARY JURISDICTION.

BEFORE MR. H. H. J. GOMPERTZ  
(ACTING PUISNE JUDGE).

#### AN AMUSING PASSAGE.

When the case of the Hung Yu Bank against Tsang King and Chow Lim Kam was called, Mr. Holborrow, who appeared for the first defendant asked for an adjournment as he had not been instructed and his client was ill with dysentery. He asked him to get a medical certificate but instead they brought round to him a prescription. (Laughter.) There was no doubt that he was sick.

Mr. Grist, who appeared for the plaintiffs, said that defendant was at the Police Court yesterday.

Mr. Holborrow—I am instructed to defend. I cannot defend until I see my client.

Mr. Grist—That is your client's fault.

His Honour—What is the claim?

Mr. Holborrow—It is a claim for \$1,000 due on a promissory note.

Mr. Grist—He was at the Police Court yesterday. Mr. Morrell saw him and I believe the reporters also saw him.

His Honour—I have no doubt about it. He is well known.

Mr. Holborrow I am instructed he is suffering from dysentery. If my friend objects to the adjournment you might fix the case for this afternoon.

Mr. Grist—He was going about yesterday and—

His Honour—That he was going about yesterday does not follow he could come here to day.

Mr. Grist—The man has not been to see his solicitor since last Friday. He is playing fast and loose with the Court.

Mr. Holborrow—He has been to see me but I have been out.

His Honour—I will fix the case for to-morrow and if I am not satisfied you will have to pay the costs for to-day.

Mr. Holborrow—As your Lordship pleases.

#### IN ORIGINAL JURISDICTION.

BEFORE THE CHIEF JUSTICE  
(SIR F. PIGGOTT).

#### ACTION TO RESTRAIN AN ADMINISTRATOR.

The action brought by To Kau, a widow, of 22 Caine Road, to restrain H. Percy Smith, administrator of the estate of the late Toag Ping E, from declaring that 260 shares in the Central Stores, Limited, did not form part of the estate and an injunction restraining defendant from representing to the directors thereof that the said shares were part of the estate, and

that the accounts of the dividend and interests be made up and paid to the plaintiff, was resumed.

Mr. Slade, instructed by Mr. P. M. Hodgson, appeared for the plaintiff and the administrator was represented by the Hon. Mr. H. E. Pollock, K.C., instructed by Mr. Crowther Smith.

Mr. Pollock concluded his case for the defence and his Lordship gave judgment for the plaintiff with costs to come out of the estate.

## CORRESPONDENCE.

### THE OPIUM QUESTION.

[TO THE EDITOR OF THE "DAILY PRESS."]

SIR—It may be taken for granted that Mr. Clementi's most valuable analysis of the opium statistics of China will be communicated to the Colonial Office, and it is fervently to be hoped that it will be printed as a Parliamentary Paper and circulated for the information of the members of the British House of Commons who have been so grossly misled by the missionary bodies and globetrotting members of Parliament (who have sought the truth on the surface of missionary wells) as to the alleged alarming prevalence of the opium smoking habit in China and its demoralising effects.

What impartial student of the question in China can honestly endorse the assertions which are referred to in the opening paragraph of Mr. Clementi's paper? They call to mind a story told by Mr. W. E. Cooke, the *Times* correspondent who came out to China in the late fifties. The outcry against opium was as strong then as it is to-day: men were even decapitated for smoking opium. Mr. Cooke and some friends, anxious to see for themselves the evil consequences of the habit, had taken a missionary as a guide. They came across an old emaciated man who could scarcely hobble along. The missionary at once held him up as "a horrible example." The inquirers wanted to learn something as to the quantity of opium the man was accustomed to smoke, and it was promptly discovered that the man had never smoked a pipe of opium in his life!

Still, I suppose it is not to be doubted that "horrible examples" do exist, and in view of the strong and emphatic assertions made by representatives of the religious bodies, I, for one, have had a mind open to conviction; and, as during a residence of more than five years I have not by hazard come across any striking evidence of the destructive and demoralising evils of the habit, I have purposely sought for evidence in this Colony which Mr. Theodore Taylor, M.P., includes among "the blackest opium spots in China." I have visited so-called "opium dens" of various degrees of respectability—from the "first class" to the "lowest class"—and I am simply amazed at the grossly exaggerated ideas which are propagated about these places. My moral sense has often been shocked in England by the scenes which may be daily witnessed in any large city there, in the neighbourhood of public-houses, but I am bound to say that I sought in vain for the sight of anything so demoralising and bestial in the opium dens. Instead of enfeebled and emaciated crowds lounging with pipes in their mouths around the opium lamps, I saw strong-looking, robust men, especially in the places to which men of the coolie class resort. My moral sense was certainly not shocked by what I saw of the use of opium, but I may take this opportunity of saying that I was, in one or two instances, much surprised that the Government should have licenced such structurally unsuitable and insanitary hovels for a public purpose.

That, however, is beside the main point, to which I wish to revert for the purpose of quoting the following extract from a speech which Sir Henry Pottinger, (the first Governor of Hongkong) after he had left China, delivered at a meeting of the Bombay Chamber of Commerce, fifty years ago. He said:

"I take this opportunity to advert to one important topic on which I have hitherto considered it right to preserve a rigid silence. I allude to the Trade in Opium: and I now unhesitatingly declare, in this public manner, that, after the most unbiased and careful observation, I have become convinced, during

my stay in China, that the alleged demoralising and debasing evils of opium have been, and are, vastly exaggerated. Like all other indulgences, excesses in its use are bad and reprehensible, but I have neither myself seen such vicious consequences as are frequently ascribed to it, nor have I been able to obtain authentic proofs or information of their existence. The great, and perhaps I might say sole, objection to the trade, looking at it morally and abstractedly, that I have discovered or heard of, is, that it is at present contraband, and prohibited by the laws of China, and therefore to be regretted and disavowed but I have striven and I hope with some prospect of eventual success to bring about its legalisation, and were that point once effected, I am of opinion that its most objectionable feature would be altogether removed. Even as it now exists, it appears to me to be unattended with a hundredth part of the debasement and misery which may be seen in our native country from the lamentable abuse of ardent spirits; and those who so sweepingly condemn the opium trade, on that principle, need not, I think leave the shores of England to find a far greater and besetting evil."

That statement, so far as it relates to the alleged demoralising and debasing effects of opium will be endorsed, I venture to think, by every impartial student of the question.

Opium-smoking, I am convinced, is not a growing habit in China—not at least in "the blackest opium spots." Sir Henry Blake, one of our former Governors, in the letter to *The Times* which you reproduced a few days ago, Sir, warned the Government that the effect of their instructions to close opium dens would be to change the stimulant of the people from opium to alcohol. Personally I think the change will come soon enough without this new impetus. Whoever takes the trouble to inquire will find that among the younger generation there is not much inclination towards opium, but that a strong preference is developing for alcohol, and I think this tendency must have been very apparent to those who are developing a brewing industry in Hongkong.—Yours truly,

ANTI-HUMBUG.

## HISTORY OF FORMOSA RAILWAYS.

There are three stages in the development of railways in Formosa.

(1) Chinese Railways.—In Formosa at present there are foreigners who have lived here from thirty to forty years. It sometimes amuses such to see magazine or newspaper articles which refer to the Japanese as civilising the inhabitants of Formosa. When that remark refers to the civilising of the head-hunters on the high hills, all may, perhaps, more or less agree (though the present method of "civilising" the savages seems to be that of extermination); but when it is interpreted to mean that the Japanese are civilising the Chinese inhabitants, there are not many foreigners but will at once demur. As an example of what I mean, few outside of the island have any idea that for years before Formosa belonged to Japan at all she had a comparatively good railway. As far back as 1887 the enlightened Chinese Viceroy, Liu Ming-chuan, did nobly in this matter. Work on the railway was, of course, to begin with, very slow; but in 1891 the twenty-mile station from Keelung to Daitotei was opened for traffic, and by 1893 other forty miles (Daitotei to Shinchiku on the south) were also opened. In the meantime Governor Liu Ming-chuan was removed to China, so that railway construction in Formosa did not proceed farther south than Shinchiku. But while willingly crediting Japan with great reforms in Formosa, one point to remember is that for some years before Formosa was ceded sixty-three miles of a most useful railway already existed in the island.

(2) Japanese Private Railway.—The second stage consisted in the formation of the Japanese Formosa Railway Company. The island became Japanese property early in 1895. In October 1896 the railway company was formed. The capital to be invested was estimated at ¥15,000,000. As the company was thought to be



not quite safe, it was dissolved a year later, in October 1897.

3 Japanese Government Railways.—Then began the third stage in the development of Formosa railways,—that is when the Railway Bureau was formed, and the authorities resolved to make it a Government line. The road from Keelung to Taihoku was greatly improved, sharp curves being made easier, and one or two hills which the old line climbed were now pierced by tunnels. The work under the Japanese Government began in March 1899. At the same time they began the line southward from Shiohiku, and also from Takow to come northwards. The main line was completed and opened for through traffic on 20th April of the present year. Thus the work of improving the old line and the construction of the new has taken about ten years to complete and during that time about thirty million yen have been spent.

The following are the dates when the various stages of the railway were opened:—

## EXTENSIONS OF OLD LINE.

	Opened.
Keelung to Taihoku ...	Dec. 1900
Taihoku to Yobaireki ...	Feb. 1902
Yobaireki to Shiohiku ...	Mar. 1902

## NEW LINES.

North to South:—	Opened.
Tamsui to Taihoku ...	Aug. 1901
Shiohiku to Chuko ...	Aug. 1902
Chuko to Byoritsu ...	May 1903
Byoritsu to Sansaho ...	Oct. 1903
Sansaho to Hakoku ...	May 1904
Sansaho to Arisho ...	Feb. 1908
Arisho to Koroton ...	Apr. 1908

## South to North:—

Takow to Tainan ...	Nov. 1900
Tainan to Wanri ...	May 1901
Wanri to Shinveisho ...	Dec. 1901
Shinveisho to Kagi ...	Apr. 1902
Kagi to Tarimu ...	Dec. 1903
Tarimu to Toroku ...	Feb. 1904
Toroku to Rinnai ...	Nov. 1904
Rinnai to Nihachisui ...	Jan. 1905
Nihachisui to Shoka ...	Mar. 1905
Shoka to Koroton ...	May 1905

In the south a small line was opened from Takow to Kyukyokudo in October 1907. It is expected that another small line will be opened from Kyukyokudo to Ako some time in June of this year.—*Japan Chronicle*.

## THE ANGLO-FRENCH LAND INVESTMENT CO., LD.

An extraordinary general meeting of shareholders in the Anglo-French Land Investment Co., Ltd., was held at Shanghai on June 12th. Mr. A. W. Burkill presided, and there were also present, Messrs. C. Holliday, C. W. Thomas and Sui Chang tyin (Directors), C. R. Burkill, H. J. Clark, C. W. Thomas, C. E. Ellis, S. S. Benjamin, C. Paturel, G. M. Forrester, M. Ferrand, Rev. Père Lorando, J. Hays (Legal Adviser) and J. V. C. Davis (Secretary). Total shares represented, 16,000.

The Chairman said that the Directors had called the shareholders together to explain to them the reasons why they wished to issue debentures. Under the Articles of Association the Directors had full power to issue debentures but they deemed it expedient to explain to the shareholders why they did so. A good deal of Company's property had had to be developed, and during the last two years there had been a considerable amount of money spent on the development of old properties, and this was going on now. Last autumn the Directors had a very favourable opportunity of acquiring a large piece of land in the Settlement, and they were going to erect two hundred houses on it. All this development of the company's property had swallowed up the working capital they had and rather than have an overdraft at the Bank the Directors preferred to increase the capital by the issue of two hundred debentures.

The Chairman proposed and Mr. C. Holliday seconded the adoption of the following resolution:—

That the Directors be and they are hereby authorized to create and issue debentures providing for the payment of such principal sums as they may from time to time deem expedient with interest at the rate of six per cent per annum; such debentures to be in such form and to be secured in such manner, and to be issued to such persons and on such terms as the Directors may think expedient, provided that the moneys at any one time owing shall not exceed half the nominal capital of the Company.

The resolution was carried unanimously. This concluded the business of the meeting.

## WATER RETURN.

Level and storage of water in reservoirs on the 1st June. City and Hill District Water Works.

	LEVEL.	1907.	1908.
	Below overflow.	Below overflow.	
Tytam .....	14 ft. 2½ in.	53 ft. 10 in.	
Tytam Byewash ..	16 ft. 1 in.	24 ft. 11 in.	
Tytam Intermediate ..	nil.	2 ft. 7½ in.	
Pokfulum .....	3 ft. 6 in.	21 ft. 2 in.	
Wongnaichung ...	2 ft. 2½ in.	22 ft. 8 in.	

## STORAGE GALLONS.

	1907.	1908.
Tytam .....	274,975,000	75,200,000
Tytam Byewash ...	5,012,000	696,000
Tytam Intermediate ..	nil.	181,379,000
Pokfulum .....	58,420,000	22,200,000
Wongnaichung ...	27,553,000	8,091,000
Total	365,960,000	287,566,000

## CONSUMPTION OF WATER IN THE CITY AND HILL DISTRICT DURING THE MONTH OF MAY.

	1907.	1908.
Consumption ...	123,288,000	143,580,000 gallons
Estimated population .....	336,100	206,960
Consumption per head per day	16.8	22.4 gallons

Intermittent supply by Rider mains up till the 17th May 1907, and constant supply in all districts to the end of the month 1907. Constant supply in all districts during May 1908. The return of consumption is subject to error owing to the difficulty of accurate measurement whilst the extension works at Albaney Filter Beds are in progress.

## KOWLOON WATER WORKS.

	LEVEL.	1907.	1908.
Kowloon Gravitation Reservoir .....	nil.	29 ft. 3 in.	

## STORAGE GALLONS.

	1907.	1908.
Kowloon Gravitation Reservoir .....	nil.	116,500,000

## CONSUMPTION OF WATER IN KOWLOON DURING THE MONTH OF MAY.

	1907.	1908.
Consumption ...	18,681,000	22,261,000 gallons
Estimated population .....	82,450	82,900
Consumption per head per day	7.3	8.6 gallons

The Government Analyst reports that the water is of excellent quality. Public Works Department.

W. CHATHAM,  
Water Authority.

## COMMERCIAL.

## IMPORTS.—

## RICE.

HONGKONG, 26th June.—Owing to the rice crop being seriously damaged by the recent flood in the North and West River districts prices have further advanced. Quotations are:—

Saigon, Ordinary .....	\$5.40	to	\$5.50
" Round, Good quality ...	5.50	to	5.55
" Long .....	5.90	to	6.00
Siam, Field mill cleaned, No. 2 ...	5.00	to	5.15
" Garden, " No. 1 ...	5.95	to	6.05
" White, .....	6.75	to	6.80
" Fine Cargo .....	6.85	to	6.90

AMOI, June 22.—The Customs Returns show an import 54,782 piculs between the 8th and the 19th inst.

## SUGAR.

Kobe.—From the Kobe Market Report, June 16th.—Beet.—Unchanged. Cane.—The market shows no change since last report. Muscovados Basis Polarisation 96 per cent, colour average 12½ is quoted at Y8.00 per picul ex ship. Osaka Refined.—The Osaka Refinery held auctions on the 3rd and 13th instant. At first sale, 5,800 bags were offered, 4,700 bags sold at prices showing an advance of from 10 to 90 sen and remainder withdrawn. At the second auction, 5,400 bags were offered, 4,900 bags were disposed of at an advance ranging from 10 and 20 sen and 500 bags withdrawn.

## OPIUM.

HONGKONG, June 25th.—Since the 11th inst., the movements in our various Opium markets have been as follows:—

	Malwa.	Patna.	Benares.	Persian.
Stocks on the 11th June, 1908	1,058	2,145	1,791	1,291
June 15th Imports per C. Aprar...	75	—	—	—
" 19th " " Nam Sang...	100	—	—	—
" 22nd " " Kum Sang...	550	215	—	—
" 24th " " Calcutta...	100	—	—	—
" 24th " " Devanah...	215	—	—	246
	1,300	2,970	1,506	1,537
Less Exports to Shanghai ...	50	350	100	—
Exports to East and West Coast Ports including Local Consumption for the fortnight...	161	452	368	197
Estimated Stocks this day ...	1,058	2,168	1,308	1,340

Bengal.—The consumption has been extremely unsatisfactory, consequently prices have steadily declined and are nominal. Patna at \$1100/1105 Benares at \$1000/1010.

Malwa.—This description has also declined and prices are as follows:

## Quotations are:—

2 years old .....	\$920
3/4 " .....	955
5 " .....	970/80
Oldest .....	1,010/1,030

Persian.—Unchanged at \$880/890 for best drug.

## HONGKONG, June 25th.

## Quotations are:—

Malwa New .....	\$920	per picul.
Malwa Old .....	\$955	do.
Malwa Older .....	\$970/80	do.
Malwa Very Old .....	\$1010/80	do.
Persian Fine Quality .....	\$800	do.
Persian Extra Fine .....	\$880	do.
Patna New .....	\$1115	per chest.
Patna Old .....	—	do.
Benares New .....	\$1025	do.
Benares Old .....	—	do.

AMOI.—The import for the fortnight ended 19th inst. has been 82 piculs Benares, 8 Persian, 1 Malwa, 12 Szechuan and 60 Yunnan.



## FLOUR.

AMOV.—Since the 6th inst. 19,939 piculs of flour have arrived and 899 piculs of wheat.

## COTTON.

Kobe.—From the Kobe Market Report, June 16th:—American:—The unfavourable condition of the weather which tends to strengthen quotations of new crop, and the shortage of "Spot" Cotton in America, have caused a decided rise in prices for "Spot" in the home market, Good middling being reported at Y40.00. Latest quotations of middling and good middling, Oct. shipment, are given at Y34.00 and 35.00 respectively. "Spot" business locally is nominal, closing quotations being Y32.25 for middling and Y34.50 for good middling. Indian:—Small stocks in hands of mills, and in the market, combined with the strong tendency of American cotton have caused a great improvement in Indian rates, and large transactions have been done in both "forward" and "spot" cotton old crop. Closing rates are:—Broach Y27.00. Akola Khamgum Y24.00. Chinese:—Quotations are nominal at Y27.00 for "Best" and Y23.00 for "common." No business has been done in either "forward" or "spot," the cotton being at present out of season.

## YARN.

HONGKONG.—Mr. P. Eduljee, in his Report dated 26th June, states:—The depressed condition of this trade, noticeable for some months past, has been more than aggravated by the recent disastrous floods in the Southern Provinces, involving the almost total destruction of the Spring rice crops, and entailing a considerable loss of life and property in the consuming districts. To those natural causes may be added the rising tendency in exchange, rendering business entirely impracticable under the circumstances. Settlements of the interval are about the same as during the previous two weeks, prices receding 50 cents to \$2 per bale, No. 20s suffering the most. Bombay is reported quiet but steady. It is stated that in view of the prevailing depression in the trade and on the representations of exporters to China the four Conference lines of steamers running between Bombay and the Far East have reduced their freight on yarn to China by Rs. 2 per ton from April last. This small concession, however, would appear to have dissatisfied the shippers who are now asking for a further reduction, and strong efforts are being made to put opposition steamers on the Bombay and China line, but doubts are expressed as to the practicability of the scheme. Sales of the interval aggregate 2,872 bales; arrivals amount to 6,567 bales; unsold stock estimated at 26,000; and sold but uncleared bales in seconds at 15,000 bales. Local Manufacture:—No business has been reported. Japanese Yarn:—Nothing doing. Raw Cotton:—A very extensive business has to be reported in the raw material, particularly in Indian descriptions, say 1,231 bales superfine Bengals at \$22 to \$23 per picul. Nearly a moiety of this quantity had been sold during the previous fortnight and reports withheld. Exporters to Japan have been much in evidence, and heavy shipments are made to Kobe, leaving a meagre stock of 250 bales on the market. In China kinds 230 bales have been taken up at \$23 to \$24. Stock 370 bales. Quotations are \$20 to \$23 for Indian, and \$22 to \$24 for China. Exchange on India has taken an upward turn in sympathy with silver and closes steady at Rs. 139½ for T/T and Rs. 140½ for Post. On Shanghai 74½ and on Japan 91. The undernoted business in imported and local spinners is reported from Shanghai during the three weeks ended the 20th instant, viz:— Indian:—The chief feature of the interval has been the very brisk enquiry for No. 12s for the Kiangse markets where stocks are allowed to run very low. Total sales amount to about 10,000 bales at steady to firm prices, with an estimated unsold and uncleared stock of about 45,000 bales. Japanese Yarn:—In moderate enquiry, total sales aggregating about 2,500 bales on the basis of late prices, say Tls. 86½ to 94½ for No. 16s and Tls. 95 to 100 for No. 20s. Local:—Sales of 1,250 bales No. 14s, by a local mill are reported.

## COAL.

HONGKONG, June 26th.—The arrivals since the 11th amounted to 47,969 tons of Japanese; 5,486 Newcastle N.S.W., and 4,130 Hongay. The Hongay coal was consigned to Canton. The coal expected is 56,500 tons of Japan coal and 5,500 tons of Australian. Quotations according to Messrs. Hughes and Hough's circular are as follows:—

Cardiff.....\$ — to \$ — ex-ship, nominal.  
Australian.....\$12.00 ex-ship, sellers.  
Yubari Lump...\$12.00 ex-ship, nominal.  
Miki Lump...\$10.50 to \$11.00 ex-ship, nominal.  
Moji Lump...\$8.00 to \$9.50, ex-ship, steady.  
Moji Unscreened \$6.00 to \$8.00 ex-ship, steady.  
Akaike Lump...\$9.00 to \$9.25 ex-ship sellers.  
Labuan Lump \$9.25 ex-ship

## PIECE GOODS.

SHANGHAI.—From Messrs. Noel, Murray & Co.'s report dated 19th June:—There is a distinctly better feeling in the market, the dealers showing much more disposition to buy if sellers will accept what they consider a reasonable advance on previous prices. In cases where goods are held that cost more than subsequent shipments now on the way Importers are showing some willingness to take advantage of the enquiry even though the prices offered show a dead loss, and are considerably below what the goods could be replaced at, and in this way a fair amount of business has gone through in staple makes of Manchester bleached and grey goods, and at a moderate advance in prices. Clearances have improved considerably. Buyers for Tientsin have been active in their enquiries for American goods, and their peregrinations amongst Native holders has disclosed the fact that the stock of available cargo in second hands is getting decidedly scarce. For this reason they have deemed it advisable to book the goods at the prices they can be obtained at now, but are not clearing them for immediate shipment. From this it can only be inferred that the Tientsin market is not quite ready for the goods, but at the same time it is a straw which shows which way the wind blows. It is said that some of the transactions consist of resales by Newchwang merchants who are content to take their profit on this market, the Exchange between that Port and this being so uncertain. The Hankow market is quiet, as far as fresh business goes, but deliveries in that direction are keeping very fair, and indeed for most of the River Ports as well as Ningpo. The trade in Korea is in a state of suspense pending the out-turn of the Rice crop, which in turn is dependent on the weather. Rain was badly wanted up to a week ago to assure anything like as good a crop as the average for a few years past. If the crops turn out well it is anticipated trade will be brisk, and the Chinese Merchants will have the cream of it, the financial straits the Japanese dealers are in greatly curtailing their trading powers. Meanwhile Manchester is strong at prices considerably over those current here, in many instances when inquiries have been made as much as eight pence and nine pence a piece. The Liverpool market has kept very strong for Cotton, Mid American closing on the 16th inst. at 6.55d. when "futures" were quoted six pence, and Egyptian 7½d. for spot, being unchanged. The New York market is strong and prices are prohibitive, Cotton, according to telegrams received yesterday, was quoted 9.60 cents for October and 9.46 cents for December but this morning 9.99 cents gold was received for September option. This latter price would indicate an important rise which Liverpool has not advised as yet. The transactions that have taken place have been confined to a few houses that have available supplies on hand, and of which it is difficult to glean particulars. They embrace all weights of Grey Shirtings, and 64-reed and finer and heavier makes of White Shirtings. Fancy goods remain a dead letter. A brisk demand for Yarn has been met with, especially Indian, and clearances are on a satisfactory scale. Native Cotton is slightly easier, but there appears to be no demand even at the decline. The news is telegraphed from India that the monsoon has burst.

SHANGHAI.—Messrs. Ilbert & Co. in their Report, dated June 18th, state:—A distinctly better feeling prevails in the market, and although demand has not been general, there has been greater activity in some important departments of the trade, such as American drills and sheetings; prices are about one mace per piece better than last week, and at the higher exchange now obtainable forward, are nearer replacing cost than has been the case for a long

time. This refers, however, only to a few favourite chops; as regards the bulk of the trade prices here have still a good deal of leeway to make up. In any case supplies are still more than sufficient for the immediate requirements of the trade generally, especially when it is borne in mind that a sudden demand is often shortlived. The increased inquiry has this time come from Shangtung and Tientsin, and this is perhaps the most encouraging feature in the situation; the long-looked-for rain has fallen, which, although very late in the season, will probably save the crops from being a complete failure; merchants dealing with these markets have been encouraged by the brighter prospects to operate more freely, making the demand less speculative than is often the case. Chinese report that stocks of American goods at Tientsin have run down to small proportions, and as there is said to be a great curtailment of business there on the basis of deferred payment, it is probable that trade will return to its former channels, and that the duplication of supplies ordered direct from the north and from here at the same time, will be less general in the future than has been the case of late years. Importers both here and in the north have suffered so heavily from loss of interest incurred in holding heavy stocks that it is only reasonable to hope that every effort will be made to reduce this heavy burden on the trade.

Cotton has advanced to 6.63d. which seems to bear out the views of those who have for many months pointed to scarcity of good qualities as more than probable throughout the summer; reports upon the new crop are favourable, but it is too early to base any calculations upon its effect on prices in the autumn. The rise in Exchange has had no adverse influence on currency prices; it has perhaps had a good effect on the market generally. Local cotton is gradually becoming exhausted—very small supplies are now available, and prices are extremely high; yarn is quieter, but there is no change in prices.

From Newchwang there is little new inquiry, but business with the River ports has been resumed on a fairly satisfactory scale. There are even signs of better prices for some descriptions of fancy goods, as buyers are beginning to feel that at last supplies are showing signs of falling off, and that prices are unlikely to be lower.

A prominent importer of Shanghai writes that the piece-goods market there is not suffering from excessive stocks, but merely from excessive funk and the obvious weakness of the holders of a considerable slice of the stocks. The statistical position of staple goods, he says, is excellent and this remark applies also to many lines of Fancy goods. The collective stocks of the items of Fancies which are giving colour to the whole P.G. market he gives as 2,076,000 pieces (on June, 12th) against 1,709,000 last year and he adds:—What is a stock of 12 months consumption to a place like Shanghai? It cannot be classed as unwieldy for a great distributing centre even in normal times, but, with the certainty before us of diminishing supplies, it would be a perfectly manageable stock if firmly held.

Kobe, June 16th.—The market for Shirtings, Cotton Goods and Fancies, Worsteds and Wool-lens, remains lifeless, very little new business offering.

## HONGKONG QUOTATIONS.

HONGKONG, 25th June.

The following are the latest quotations in the Hongkong markets:—

Apricot .....	\$10 to 13
Borax .....	\$11 to 12
Cassia .....	\$19½
Cloves .....	\$16 to 22
Camphor .....	\$83 to 86
Cow Bezoar .....	\$120 to 144
Fennel Seed .....	\$6 to 9
Galangal .....	\$2 to 5
Grapes .....	\$10 to 12
Kismis .....	\$16
Glue .....	\$18
Olibanum .....	\$2 to 17
Oil Sandalwood .....	\$250 to 350
„ Rosa .....	\$50 to 150
„ Cassia .....	\$215
Raisins .....	\$9
Senna Leaves .....	\$6 to 8
Sandalwood .....	\$32
Saltpetre .....	\$16



## HONGKONG PRICES CURRENT.

HONGKONG, 26th June, 1908

## COTTON PIECE GOODS—

Grey Shirtings—6	lbs. piece	\$1.85 to \$2.05
7 lbs.	.....	2.25 to 2.55
8.4 lbs.	.....	3.30 to 4.20
10 lbs.	.....	4.50 to 5.45
White Shirtings—54/56 reed	.....	3.60 to 4.15
58/60	.....	5.00 to 6.50
64/66	.....	6.50 to 8.00
Fine	.....	9.25
Book-folds	.....	3.50 to 6.00
Victoria Lawns—12 yards	.....	0.04 to 2.00
T-Cloths—6 lbs. (32 in.) Ord'y	.....	2.10 to 2.25
7 lbs.	.....	2.30 to 3.75
8 lbs.	.....	2.25 to 2.30
7 lbs.	.....	2.35 to 4.00
8 to 8.4 6z., 30 in.)	.....	2.90 to 4.00
Drills, English—40 yds., 13 1/2	to 14 lbs. )	4.50 to 5.50

## FANCY COTTONS—

Turkey Red Shirtings—1 1/2 to 6	lbs. piece	\$1.95 to \$4.30
Brocades—Dyed	yard	\$0.12 to \$0.15
Chinese—Assorted	.....	0.10 to 0.25
Velvets—Black, 22 in.	.....	0.26 to 0.55
Velveteens—18 in.	.....	0.22 to 0.27
Handkerchiefs—Imitation Silk doz.	.....	0.50 to 1.10

## WOOLLENS—

Spanish Stripes—Sundry chops	yard	\$0.70 to \$2.00
German	.....	.....
Habit, Medium & Broad Cloths	.....	1.50 to 3.20
Long Ells—Scarlet, 7-9 lbs. piece	.....	7.75 to 9.00
Assorted	.....	7.90 to 9.15
Camlets—Assorted	.....	9.50 to 31.00
Lastings—30 yds. 31 inches	Assorted	13.00 to 20.00
Orleans—Plain	.....	10.00 to 11.00
Blankets—8 to 12	lbs.	0.60 to 0.85

## RAW COTTON—

Bombay	picul	\$19.00 to \$20.50
Bengal (New), Rangoon,	.....	.....
and Dacca	.....	20.50 to 23.50
Shanghai and Japanese	.....	25.00 to 26.00
Tungchow and Ningpo	.....	25.00 to 26.00

## METALS—

Iron—Nail Rod	picul	\$4.15
Square, Flat, Round Bar (Eng.)	.....	4.10
Swedish Bar	.....	4.20
Small Round Rod	.....	4.45
Hoop, 1/2 to 1 1/2 in.	.....	5.60
Wire, 16/25 oz.	.....	9.50
Old Wire Rope	.....	3.00
Lead—L. B. & Co. and Hole Chop	.....	.....
Australian	.....	8.25
Yellow Metal—Muntz 14.28 oz.	.....	40.50
Vivian's, 16/32 oz.	.....	40.50
Elliot's, 16/28 oz.	.....	40.50
Tin	.....	84.00
Tin-Plates	box	7.70
Steel	cwt. case	.....

## MISCELLANEOUS—

Quicksilver	picul	152.50
Window Glass	box	4.50
Kerosene Oil	case	.....
Saltpeter, No. 1	picul	\$11.00 to 11.70
Do. No. 2	.....	10.80 to 10.90
Do. No. 3	.....	9.70 to 10.00

## WHEATEN FLOUR—

Dayton, per bag of 50 lbs.	gross	\$2.18
Crown	.....	3.00
Crescent	.....	2.00
Orient	.....	1.95
Sperry's XXX	.....	3.00
Pioneer	.....	2.42
Anchor	.....	2.12
Charm	.....	2.13
Junk	.....	2.13
Dog	.....	2.13
Cash	.....	2.13
Duck, Lily	.....	2.13
Crescent	.....	2.00
Orient	.....	1.96
Pearlman	.....	2.12
Kilin	.....	2.12
White Lily	.....	2.13
Blue Ribbon	.....	2.14
Reardon	.....	2.13
White Rose	.....	2.17
Choice	.....	2.16
Serene Sky	.....	2.13
Stone	.....	2.15
Gluten	.....	2.12
Lobston	.....	2.13
Fairy Peach	.....	2.10
The Boss	.....	2.10
Mowtan Peony	.....	2.12
Thrush	.....	2.10
Three Sheep	.....	2.12
High Tuft	.....	2.16
Cat	.....	2.45

## EXPORTS:—

## TEA.

HANKOW, June 10th.—Business reported since the 4th inst., is as under:—

	1908.	1907.
Settlements	87,212	92,803

Consisting of the following Teas—

	1908.	1907.
Ningchows	16,788 at Tls.	21.00 at 100.00
Khemuns	1,666	23.50
Hohow	1,645	21.00
Kutoans	285	27.00
Oopacks	9,278	15.50
Oonams	23,290	16.10
Oofaas	28,785	19.50
Seang-tams	4,766	16.10
Ichangs	709	42.00

The following are Statistics at date compared with the corresponding statement of last season, viz, 6th June, 1907:—

	1908.	1907.
HANKOW TEA	1-Chests.	1-Chests.
Settlements	326,724	321,279
Stock	25,441	36,923

Arrivals ... 352,165 358,202

	1908.	1907.
KIUKIANG TEA	1-Chests.	1-Chests.
Settlements	143,199	145,738
Stock	31,536	36,577

Arrivals ... 174,735 182,315

Comparative Quotations per picul are as under:—

	1908.	1907.
Ningchow Tls.	19.00 at 100.00	Tls. 18.50 at 90.00
Khemuns	21.75	67.00
Hohow	21.00	24.50
Kutoans	27.00	.....
Wenchow	19.50	21.00
Oopack	15.50	26.00
Oonam	16.10	28.00
Oonfaa	19.50	36.00
Seangtam	16.10	18.50
Ichangs	42.00	47.50

	Hankow Tea	Kiukiang.
Season 1908-1909	1,830,831 lbs.	2,172,565
1907-1908	2,847,932	2,145,844
1906-1907	1,546,994	2,225,285

The export to 10th June, as per Customs Returns stands thus:

	1908/9	1907/8	1906/7
Via Shanghai,	lbs.	lbs.	lbs.
To Great Britain	1,040,085	1,076,762	1,676,591
U. S. & Canada	1,027,517	4,068,208	441,797
Continent	1,285,335	1,092,786	635,873
Russia via North	467,625	992,992	616,900
Shanghai	187,657	434,898	302,207
Direct, 1908,			
U. S.	168,552 lbs.		
Gr. Britain	2,384,969		
Continent	198,184		
Russia in Europe	2,611,115		
Russia in Asia	5,450,148		

Direct, 1907

s.s. "Eiger" Russia in Asia 82,414 lbs.

Kobe.—The Kobe Foreign Board of Trade in their Market Report for dated June 16th, state:—Conditions are going from bad to worse in the tea trade in Kobe. Prices have been steadily rising, owing to the shortness of the crop, and the fact that the Kobe Market is being neglected. Settlements for the past two weeks amount to piculs 9,300, making the total for the season piculs 20,200, against piculs 32,000 to the same date last year.

## SILK.

SHANGHAI.—From Messrs. F. C. Heffer's report, dated June 18th 1908:—

Raw Silk.—No business is reported in New Season's Silk, and only a few lots of old Silk have been done at declining rates.

Hand Filatures.—Several parcels of old Silk have been taken for Europe.

Steam Filatures.—One or two balance lots have been taken off the market.

Yellow Silk.—The mienyang market opened at Tls. 375/355 for S.T. and S.C. 1 and 2, and on this basis some 300 bales have been booked.

## CAMPBOR.

HONGKONG, June 26th.—The price of Formosan remains unchanged at \$91.00 to \$92.50.

## YARN.

Kobe, June 16th.—The market continues firm with a few transactions at advanced prices.

## STRAW BRAID.

Kobe, June 16th.—Practically no change, the demand continuing strong for many descriptions. Advices from the country report favourably in regard to the new straw and a good crop seems to be assured. Chip Braid.—There was less enquiry during the past fortnight, but prices were well maintained.

## NORTH CHINA PRODUCE.

SHANGHAI, 15th June.

Messrs. Arnhold, Karberg & Co. in their Fortnightly Produce Circular, state:—Gallnuts.—Remaining stocks are small. Prices consequently firm. Cowhides.—Market strong. A good demand continues. Very little cargo. Feathers.—A fair business has been done. Small supplies. Cotton.—Very firm. Tallow.—No supplies. Market closed. Strawbraid.—The only enquiry is for Mottled Laichow and Shansi, in which a few settlements have been made. Market is a trifle weaker. Wool.—Sheeps.—A fair business with America is being done. Stocks are much reduced. Wood Oil.—Little inquiry. Sesamumseed.—Season practically over. A few old lots are sold now and then. Antimony.—Europe and America continue to be buyers for goodsized lots. Sellers are reluctant and prices have an upward tendency.

Statistics commencing from 1st October, 1907 as compared with the corresponding season 1906-1907 viz:—

	1907-8	1906-7
Gallnuts	26,941 piculs	60,578
Cowhides	90,055	159,698
Tobacco	15,423	15,796
Feathers	23,959	39,290
Cotton	53,781	27,240
Tallow	53,511	113,674
Wood Oil	70,623	56,299
Sesamum Seeds	1,240,025	98,483

## MISCELLANEOUS EXPORTS

HANKOW, June 10th.—The prices quoted are for the net shipping weight excluding cost of packing for export:—

	Per picul
Cowhides, Best selected	Tls. 30.50
Do. Seconds	27.00
Buffalo hides, Best selected	23.00
Goatskins, untanned; chiefly white	.....
colour,	.....
Buffalo Horns, average 3 lbs. each	.....
White China Grass, Wuchang and/or	.....
Poochi	8.70
White China Grass, Sinshan and/or Chayu	8.00
Green China Grass, Szechuen	7.70
Jute	.....
White Vegetable Tallow, Kinchow	10.75
White Vegetable Tallow, Pingchew	.....
and/or Macheng	.....
White Vegetable Tallow, Mongyu	10.10
Green Vegetable Tallow, Kiyu	10.00
Animal Tallow	10.30
Gallnuts, usual shape	15.25
Gallnuts, plum do.	17.75
Tobacco, Tingchow	.....
Tobacco, Wongkong	.....
Feathers, grey and/or white Wild Duck	.....
Turmeric	.....
Sesamum Seed	5.70
Sesamum Seed Oil	.....
Wood Oil	8.75
Tea Oil	.....

From Hankow per Conference Steamers.—To London and Northern Continental ports 45/- per ton of 40 c. ft. plus river freight. To Genoa, Marseilles or Havre 45/- per ton of 40 c. ft. plus river freight. To New York (via Suez) General Cargo 30/- per ton of 40 c. ft. plus river freight, or New York (via Suez), Tea 37/6 per ton of 40 c. ft. plus river freight. To New York (Overland) per carload, Tea G. \$1 1/2 cents per lb gross; less than carload Tea G. \$1 1/2 cents per lb gross plus river freight. To Shanghai.—Tea and General Cargo, Tls. 1.60 to 1.80 per ton, weight or measurement.



Per M. M. str. Tonkin, sailed on 23rd June, For Marseilles:—386 bales soie, 2 bales cocoons, 25 colis cheveux, 321 bales thé, 18 cases plumes, 8 cases soieries, 8 cases divers, 2 cases cigars. For Lyon:—238 bales soie. For St. Etienne:—10 bales soie. For Milan:—55 bales soie. For Amsterdam:—3 bales tabac en feuilles. For Londres:—42 cases opium, and 1 case tirsulaine.

Per P. & O. steamer Palermo, sailed on 24th June 1908. For Antwerp:—3 bales leaf tobacco. For Marseilles:—50 cases bristles. For London:—50 bales waste silk, 100 bales tea, 32 cases woodware, 3 bales leaf tobacco, 17 cases furniture, 2 cases eyelets and packing, 25 tons copper.

### HONGKONG SHARE QUOTATIONS.

HONGKONG, 26th June, 1908.—Quietness has continued to prevail in our market during the past week, and rates in many instances, at the close, show a tendency to decline. Bar Silver is quoted to-day at 25½d., and Exchange on London at 1s. 10½d. T. T. The closing rate on Shanghai is 74½d. T. T.

BANKS.—Hongkong and Shanghai in London are unaltered at £78. 10s., but locally the rate has been barely maintained, and after small sales at \$755 and \$752½ there are probable sellers at \$750. Nationals continue in demand at \$51, but no sales are reported locally.

MARINE INSURANCES.—The only sale reported in this section is of Yangtszes at \$147½. Other stocks under this head are unchanged.

FIRE INSURANCES.—Chinas have been done at \$93 and \$92½, and close with buyers at \$92. Hongkongs are wanted in a small way at \$315.

SHIPPING.—Hongkong, Canton and Macaos have been booked at \$29 and \$29½, closing with buyers at the former and sellers at the latter rate. Indo-Chinas have declined to \$39 and \$21 for the preferred and deferred combined, with sellers. Douglasses are wanted at the improved rate of \$37, and Shell Transports at 45s. There are buyers of Star Ferries (old) at \$25, but the new issue is on offer at \$15.

REFINERIES.—Luzons are somewhat easier with sellers at \$2½, and Chinas are unaltered and without business at \$132½ sellers.

MINING.—Raubs in sympathy with a weak market in the Straits, have dropped to \$7 sellers. Charbonnages can be placed at the improved rate of \$580.

DOCKS, WHARVES AND GODOWNS.—Hongkong and Whampoa Docks have been booked at \$104 and \$103, and close with sellers at the latter rate. Hongkong and Kowloon Wharves after sales at \$51, \$50½ and \$50 close weak with sellers at \$50. New Amoy Docks are wanted at \$9½ and Shanghai Docks at Tls. 82. Shanghai and Hongkew Wharves have dropped to Tls. 222½ sellers.

LANDS, HOTELS AND BUILDINGS.—Hongkong Lands have sellers at \$98, and West Points at \$48. Kowloon Lands are in request at \$25½, and Humphreys Estates at \$10. There are sellers of Hongkong Hotels at \$95.

COTTON MILLS.—Hongkongs have again been done at \$11 and more shares are wanted. Latest quotations from the North give Ewos at

Tls. 57. Internationals Tls. 67. Laon Kung Mows Tls. 85, and Soyche Tls. 255.

MISCELLANEOUS.—Sales have been effected of China-Borneos at \$10½, China Provident's \$9½, and Dairy Farms at \$19½ and \$19½, the latter closing in further request at \$19½. Cements have again been booked in fair quantities at \$10½, Electrics at \$16, and China Light and Powers at \$6½. Ices continue in request at \$225, and Hongkong and China Gas at \$185. Ropes are easier with probable sellers at \$25. Union Waterboats are wanted at \$10½, and South China Morning Posts at \$23.

Quotations are as follows:—

COMPANY.	PAID UP.	QUOTATIONS.
Alhambra	Ps. 200	Nominal
Banks—		
Hongkong & S'hai...	\$125	\$750, sellers
National B. of China	26	London £78.10
Bell's Asbestos E. A.	12s. 6d.	\$51, buyers
China-Borneo Co.	\$12	\$7½, sellers
China Light & P. Co.	{ \$10 }	\$10½, sales & sel.
China Provident	{ \$1 }	\$6½, sales & sel.
Cotton Mills—		
Ewo	Tls. 50	\$9½, sales
Hongkong	\$10	
International	Tls. 75	Tls. 57
Laon Kung Mow	Tls. 100	\$11, sales & buy.
Soychee	Tls. 500	Tls. 64
Dairy Farm	\$6	Tls. 85
Docks & Wharves—		Tls. 205
H. & K. Wharf & G.	\$50	\$19½, buyers
H. & W. Dock	\$50	\$50, sellers
New Amoy Dock	\$6½	\$103, sellers
Shanghai Dock and	{ Tls. 100 }	\$9½, buyers
Eng. Co., Ltd.	{ Tls. 100 }	Tls. 82
S'hai & H. Wharf	Tls. 100	Tls. 222½
Fenwick & Co., Geo.	\$25	\$13, sellers
G. Island Cement	\$10	\$10½, sales
Hongkong & C. Gas	\$210	\$185, buyers
Hongkong Electric	\$10	\$16, sales
Hongkong Hotel Co.	\$50	\$95, sellers
Hongkong Ice Co.	\$25	\$225, sales & buy.
H. K. Milling Co., Ltd.	\$100	Nominal
Hongkong Rope Co.	\$10	\$25
Insurances—		
Canton	\$50	\$235, sellers
China Fire	\$20	\$92, buyers
China Traders	\$25	\$86½, buyers
Hongkong Fire	\$50	\$315, buyers
North China	\$5	Tls 78, sellers
Union	\$100	\$790, sellers
Yangtze	\$60	\$147½, sales
Land and Buildings—		
H'kong Land Invest.	\$100	\$98, sellers
Humphrey's Estate	\$10	\$10, buyers
Kowloon Land & B.	\$30	\$25½, buyers
Shanghai Land	Tls. 50	Tls. 124
West Point Building	\$50	\$48, sellers
Mining—		
Charbonnages	Res. 250	\$570, buyers
Raubs	18/10	\$7, sellers
Peak Tramways	{ \$10 }	\$14
Philippine Co.	{ \$1 }	\$2, sellers
Refineries—		
China Sugar	\$100	\$132½, sellers
Luzon Sugar	\$100	\$22, sellers
Steamship Companies		
China and Manila	\$25	\$15, sellers
Douglas Steamship	\$50	\$37, buyers
H. Canton & M.	\$15	\$29½, sellers
Indo-China S. N. Co.	\$5	\$39, sellers
Shell Transport Co.	\$21	\$21, sellers
Star Ferry	\$10	\$45½, buyers
Do. New	\$5	\$24½, buyers
South China M. Post.	\$25	\$15, sellers
Steam Laundry Co.	\$5	\$23, buyers
Stores & Dispensaries.		\$6 sellers
Campbell, M & Co.	\$10	\$15
Powell & Co., Wm.	\$10	\$5½
Watkins	\$10	\$3
Watson & Co., A. S.	\$10	\$9½, sellers
Wiesmann Ltd.	\$100	\$150, buyers
United Asbestos	\$4	\$13, buyers
Do. Founders	\$10	\$150, buyers
Union Waterboat Co.	\$10	\$10½, buyers

VERNON & SMYTH, Brokers.

### SHANGHAI SHARE QUOTATIONS.

18th June, 1908.

COMPANY.	PAID UP.	QUOTATION.
Banks:—		
Hongkong & S'hai...	\$125	\$775, buyers
National of China...	26	\$51, buyers
Russo-Chinese	{ R187½ }	Tls. 175, sellers
Insurance:—		
Union Society C'ton	\$100	\$795, sellers
North-China	25	Tls. 77½, sellers
Yangtze Assn.	\$60	\$152½, buyers
Canton	\$50	\$230, sales
Hongkong Fire	\$50	\$312½, buyers
China Fire	\$20	\$92, sales
Shipping:—		
Indo-China { pref. }	£10	Tls. 29½, sales
{ def. }		Tls. 14½, sales
Shell Trans. { ord. }	£1	\$22.50, sellers
{ pref. }	10	\$29.10, sellers
S'hai Tug & { ord. }	T50	Tls. 43½, buyers
Lighter { pref. }		Tls. 52, buyers
Taku Tug & Lighter	T50	Tls. 47½, sellers
Docks & Wharves:—		
S'hai Dock & Eng.	T100	Tls. 80, sellers
H. & W. Dock	\$50	\$106, sales
S. & H'kew Wharf	T100	Tls. 237, buyers
H. K'loon W. & G.	\$50	\$51, sales
Yangtze	T100	Tls. 217½, sales
Sugar Companies:—		
Perak Cultivation	T50	Tls. 82½, buyers
China Refining	\$100	\$135, sellers
Mining:—		
Raub Australian	{ £1 }	\$8, sellers
{ 18/10 }		
Chinese Eng. & Min.	£1	Tls. 15½, buyers
Lands:—		
S'hai Investment	T50	Tls. 123½, buyers
H'kong Investment	\$100	\$100, sellers
Humphreys' Estate	\$10	\$10½, sales
Weihaiwei	T25	\$9, sellers
China	T50	Tls. 50, sellers
Anglo-French	T100	Tls. 101, sellers
Cotton:—		
Ewo	T50	Tls. 56, buyers
International	T75	Tls. 64, sellers
Laon Kung Mow	T100	Tls. 77½, sellers
Soy Chee	T500	Tls. 250, sellers
H'kong C. S. W. D.	\$10	\$9, buyers
Industrial:—		
Shanghai Gas	T50	Tls. 112, buyers
Major Brothers	T50	Tls. 45, buyers
Shanghai Ice	T25	Tls. 14, sales
China Flour Mill	T50	Tls. 55, sellers
S'hai Pulp & Paper	T100	Tls. 47, buyers
Green Is. Cement	\$10	\$11, sellers
Maatschappij, &c., in Langkat	Gs. 100	Tls. 520, buyers
Shanghai - Sumatra Tobacco	T20	Tls. 88½, sellers
S'hai Waterworks	£20	T385, sales
Anglo-Ger. Brewery	100	\$85, buyers
A. Butler Cement, Tile Works	50	\$35, sales
Kalumpung Rubber	50	\$54, sellers
Eastern Fibre	10	nominal
Shanghai Electric Construction	£10	£10, sales
Miscellaneous:—		
Hall & Holtz	\$20	\$20, sellers
A. Llewellyn	\$60	\$43, buyers
A. S. Watson & Co.	\$10	\$11½, sellers
Central Ordinary	\$15	\$12, sellers
Central Founders	\$15	\$400, buyers
S. Moutrie & Co.	\$50	\$51, sales
Weeks & Co.	\$20	\$21½, buyers
Astor House Hotel	\$25	\$20½, sellers
Hongkong Hotel	\$50	\$98, sellers
Hotel des Colonies	T25	Tls. 8, sellers
Tsingtao Hotel	\$100	nominal
Lane, Crawford & Co.	100	\$145, sellers
Dunning & Co.	50	\$52, sellers
S'hai Horse Bazaar	T50	Tls. 44, sellers
S'hai Mercury	T50	Tls. 50, sellers
S'hai Mutual Tele.	T50	Tls. 58½, buyers
China Im. & Ex. Lumber	T100	Tls. 83, sellers
Shanghai Electric & Asbestos	\$25	\$23, sellers
Dallas Horse Repository	T50	Tls. 25, sellers
China Printing Co.	T50	Tls. 50, sellers

J. P. BISSET & Co.



Messrs. J. P. Bisset & Co.'s Share Report for the week ending 18th June, states—The week under review has been a busy one, the forthcoming June Settlement requiring a good deal of adjustment. A plentiful supply of money has caused a demand also for most of our gilt-edged stocks and a considerable cash business has been put through. The T.T. rate on London to-day is 2/6½. Banks.—Hongkong and Shanghai Banks: These have had a further advance this week and cash and June shares have been dealt in at \$775 with Exchange 73. Insurance.—Union Insurance Association: A transaction is reported at \$152½ and shares are wanted at this figure. Shipping.—Shanghai Tug & Lighter Co.: Ordinary shares have advanced to Tls. 43. The Preference shares have been taken off the market at Tls. 52. Docks and Wharves.—Shanghai Dock and Engineering Co.: The market opened with cash shares at Tls. 87 and buyers for July at Tls. 88. These rates have been fairly well maintained until yesterday, when the final dividend of Tls. 2½ was declared. The first subsequent transaction took place at Tls. 83 for June and the market became somewhat disorganized. Tls. 82 for July was next reported. At the close we think that July shares could be had at Tls. 80. Shanghai and Hongkew Wharf Co.: The settlement for June in this stock is a large one and an extensive business has been put through during the week. Rates have been somewhat irregular as on the 11th the cash rate was Tls. 231½ and for June Tls. 233, Tls. 234 and Tls. 235. On Saturday, the 13th, cash shares became weaker and sales were made at Tls. 226½ and Tls. 225. These sales, however, did not shake the firmness of the former rates which still remained at Tls. 233 June and subsequently a strong demand for both cash and June shares set in at from Tls. 232½ to Tls. 236. Yesterday transactions were reported for June at Tls. 236 and Tls. 237½, closing with sellers at the latter figure. For September Tls. 232½ has been done. Hongkong and Kowloon Wharves: shares have changed hands at \$51 with Exchange 74½. Sugar Co.'s—Nothing reported this week. Mining.—Nothing reported this week. Lands.—A good demand for these shares has prevailed, and Shanghai Land Investment shares close at \$123. Industrial.—Sales of Ewos have been made at Tls. 57 June and Tls. 60 for September. Shanghai Gas Co.: Transactions are reported at Tls. 111 and Tls. 112 with buyers at the latter figure. Major Bros. are wanted at Tls. 45. Mantschappij & Co. in Langkats: There has been some change in the rates during the week. On the 12th shares were placed for June at Tls. 518 and 519, and at Tls. 540 for September, gradually dropping until Tls. 510 was reached. A dividend of Tls. 10 was paid on the 15th, when an immediate reaction took place and Tls. 515 ex div. was reported. This has been followed by sales at Tls. 517½ and Tls. 520 for June. Tls. 535 and Tls. 540 for September have been done and the market closes with buyers. Shanghai Sumatra Tobacco: Transactions are reported at Tls. 90 and Tls. 89, and at the close shares could be had at Tls. 88½. Kalumpung Rubber shares: A fair amount of business has been put through at Tls. 52, Tls. 53 and Tls. 53½. At the close we quote sellers at Tls. 54. Shanghai Electric Construction Co. Ltd.: Preferred shares have been dealt in at £10. Miscellaneous.—Hall and Holtz Shares have been placed at \$19½. Centrals: There are buyers at \$12. Astor House Hotels: There have been no bids for shares on the market this week at \$20. Shanghai Mutual Telephone: A good many shares have changed hands during the week at Tls. 55 and Tls. 56 closing with buyers. Loans and Debentures.—Astor House Seven per cents: A transaction is reported at Tls. 101.

## EXCHANGE.

HONGKONG, June 26 h.

ON LONDON.—	
Telegraphic Transfer .....	1/1½
Bank Bills, on demand .....	1/10½
Bank Bills, at 30 days' sight .....	1/0½
Bank Bills at 4 months' sight .....	1/10½
Credits, at 4 months' sight .....	1/10½
Documentary Bills, 4 months' sight .....	1/1½
ON PARIS.—	
Bank Bills, on demand .....	23½
Credits 4 months' sight .....	23½
ON GERMANY.—	
On demand .....	189½
ON NEW YORK.—	
Bank Bills, on demand .....	45½
Credits, 60 days' sight .....	46½

ON BOMBAY.—Telegraphic Transfer .....	139½
Bank, on demand .....	140½
ON CALCUTTA.—Telegraphic Transfer .....	139½
Bank on demand .....	140½
ON SHANGHAI.—Bank, at sight .....	74½
Private, 30 days' sight .....	75½
ON YOKOHAMA.—On demand .....	91
ON MANILA.—On demand .....	91½
ON SINGAPORE.—On demand .....	79½
ON BATAVIA.—On demand .....	11½
ON HAIPHONG.—On demand .....	9½ p.c. pm.
ON SAIGON.—On demand .....	9½ p.c. pm.
ON BANGKOK.—On demand .....	83
SOVEREIGNS, Bank's Buying Rate .....	\$10.55
GOLD LEAF 100 fine, per tael .....	\$55.60
BAR SILVER per oz .....	25½

## SUBSIDIARY COINS.

		per cent.
Chinese	20 cents pieces .....	\$8.93 discount,
"	10 " " " .....	9.37 " "
Hongkong	2½ " " " .....	8.60 " "
"	10 " " " .....	8.65 " "

## TONNAGE.

HONGKONG 26th June.—The volume of business transacted during the period under review is larger than that of the preceding fortnight. From Saigon to Hongkong, a good demand for tonnage at 14 cents per picul, due to sharp rise in price of rice locally; to Philippines, a small lot of 20,000 piculs, booked at 26 cents per picul; to Java, 20 cents, per picul last; to Japan, 23 cents. From Newchwang to Canton, 4 fixtures at 2½/21 cent, per picul. Coal freights are steady. From South Japan Coal port to Hongkong, \$1.35 per ton; to Saigon, \$2.00 per ton; Canton, \$2.00. From Hongkong to Hongkong, \$1.35 per ton; Canton, \$1.45. Haiphong to Swatow, \$1.60. The following are the settlements:

Hanyang—British steamer, 1,207 tons, Newchwang, Tairen and Chefoo to Canton (20/22,000), 21 cents per picul.	
Kueiyang—British steamer, 1,044 tons, Newchwang, Tairen and Chefoo to Canton (20/22,000), 20 cents per picul.	
A China Nav. Co.'s steamer, Newchwang, Tairen and Chefoo to Canton (20/22,000), 20 cents per picul.	
Reidar—Norwegian steamer, 2,276 tons, Moji to Hongkong, \$1.35 per ton.	
Progress—Norwegian steamer, 1,641 tons, Moji to Saigon, \$2.00 per ton.	
Ragnar—Norwegian steamer, 1,220 tons, Haiphong to Swatow, \$1.60 per ton.	
Quarta—German steamer, 1,146 tons, 2 trips Hongkong to Hongkong, \$1.35 per ton.	
Victoria—Swedish steamer, 1,180 tons, Saigon to 1 port North Coast Java, 20 cents per picul.	
Spir—Norwegian steamer, 870 tons, Saigon to 1 port Philippines (25,000), 22 cents per picul.	
Nord—Norwegian steamer, 730 tons, Saigon to 1 port Philippines (20,000), 26 cents per picul.	
Phuyen—French steamer, 1,298 tons, Saigon to Cebu (18,000), \$5.200 lump sum.	
Frithjof—Norwegian steamer, 891 tons, Saigon to Hongkong, 12 cents per picul.	
Pheumpeh—British steamer, 1,065 tons, Saigon to Hongkong, 12 cents per picul.	
Signal—German steamer, 907 tons, Saigon to Hongkong, 13 cents per picul.	
Tjipanas—Dutch steamer, 2,444 tons, Saigon to Hongkong, 13 cents per picul.	
Loyal—German steamer, 1,237 tons, Saigon to Hongkong, 14 cents per picul.	
Sk amstad—Norwegian steamer, 860 tons, Saigon to Hongkong, 14 cents per picul.	
Prometheus—Norwegian steamer, 1,023 tons, Saigon to Hongkong, 14 cents per picul.	
Fri—Norwegian steamer, 859 tons, Saigon to Hongkong, 14 cents per picul.	
Childar—Norwegian steamer, 1,102 tons, Saigon to Hongkong, 14 cents per picul.	

## FREIGHTS.

SHANGHAI.—From Messrs. Wheelock & Co.'s Report, dated June 18th:—Our Homeward Freight market is gradually improving as the tea season advances and we hope to see this continue although outside of tea there is not very much general cargo to go forward. Coastwise:—Things are not very brilliant on the coast and although there is not much loose tonnage in the North seeking employment we hear the Southern markets are in deplorable condition and any number of steamers are laying-up, a state of affairs which is bound to re-act on the North.

## SHIPPING.

## ARRIVALS AND DEPARTURES SINCE LAST

## MAIL.

## June—ARRIVALS.

18, Indrapura, British str., from New York.  
18, Namsang, British str., from Calcutta.

19, Fooksang, British str., from Moji.  
19, Helene, German str., from Tourane.  
19, Mandasan M., Jap. str., from Kuchinotsu  
19, Singan, British str., from Haiphong.  
19, Taming, British str., from Manila.  
19, Trieste, Austrian str., from Shanghai.

20, Cardiganshire, Brit. str., from Shanghai  
20, Fukushu Maru, Jap. str., from Anping.  
20, Kwongsang, British str., from Shanghai.  
20, Matbille, German str., from Haiphong.  
20, Pongtong, German str., from Bangkok.  
20, Teenka, British str., from Singapore.  
20, Tjibodas, Dutch str., from Macassar.

21, Haiching, British str., from Coast Ports.  
21, Hellis, German str., from Hankow.  
21, J. Diederichsen, Ger. str., from Hoihow.  
21, Kikosan Maru, Jap. str., from Kuchinotsu  
21, Kwanglee, Chinese str., from Shanghai.  
21, Lauschen, German str., from Saigon.  
21, Lothian, British str., from Singapore.  
21, Mathilde Korner, German str., from Moji.  
21, Shoshu Maru, Jap. str., from Takow.  
21, Siberia, Am. str., from San Francisco.  
21, Telemachus, British str., from Singapore  
21, Theodor Wille, Ger. str., from Cardiff.  
21, Tonkin, French str., from Yokohama.

22, Aldenham, British str., from Kobe.  
22, Borneo, German str., from Sandakan.  
22, Caledonien, French str., from Marseilles.  
22, Derwent, British str., from Saigon.  
22, Glensrae, British str., from London.  
22, Kumsang, British str., from Calcutta.  
22, Peiho, French str., from Singapore.  
22, Quarta, German str., from Singapore.  
22, Sevestad, Norwegian str., from Bangkok.  
22, Tonawonda, Brit. str., from San Francisco.  
22, Wingsang, British str., from Wuhu.  
22, Yuensang, British str., from Manila.  
22, Zafiro, British str., from Manila.

23, Benledi, British str., from London.  
23, Changsha, British str., from Australia.  
23, Choysang, British str., from Shanghai.  
23, Hakata Maru, Japanese str., from Japan  
23, Monteagle, British str., from Vancouver  
23, Solstad, Norwegian str., from Haiphong  
23, Tjimahi, Dutch str., from Batavia.  
23, Wosang, British str., from Newchwang.  
23, Yochow, British str., from Shanghai.

24, Alesia, German str., from Portland.  
24, Devanha, British str., from Bombay.  
24, Gwalior, British str., from Singapore.  
24, Haitan, British str., from Coast Ports.  
24, Hupeh, British str., from Haiphong.  
24, Joshin Maru, Japanese str., from Tamsui.  
24, Kawachi Maru, Jap. str., from Singapore  
24, Mortlake, British str., from Fremantle.  
24, Palermo, British str., from Shanghai.

25, E. of Japan, British str., from Vancouver.  
25, Oceano Monarch, Br. str., from Newcastle.  
25, P. Waldemar, German str., from Sydney



## June— DEPARTURES.

- 19, Chiynen, Chinese str., for Shanghai.  
 19, Choising, German str., for Bangkok.  
 19, Haimun, British str., for Coast Ports.  
 19, Hanoi, Fren. str., for Kwang Chow Wan.  
 19, Loongsang, British str., for Manila.  
 19, Mausang, British str., for Sandakan.  
 19, Shantung, German str., for Java.  
 19, Triumph, German str., for Haiphong.  
 19, Yeboshi Maru, Jap. str., for Singapore.  
 19, Yotorofu Maru, Jap. str., for Shanghai.
- 20, Andalusia, German str., for Singapore.  
 20, Indrapura, British str., for Shanghai.  
 20, Istria, German str., for Shanghai.  
 20, Progress, Norwegian str., for Saigon.  
 20, Rubi, British str., for Manila.  
 20, Stentor, British str., for Singapore.
- 21, Arabia, Ger. str., for Moji and Portland.  
 21, Cardiganshire, Brit. str., for Singapore.  
 21, Cheangchew, British str., for Singapore.  
 21, Cheongshing, British str., for Swatow.  
 21, Daijin Maru, Jap. str., for Swatow.  
 21, Frithjof, Norwegian str., for Saigon.  
 21, Hangsang, British str., for Swatow.  
 21, Johanne, German str., for Haiphong.  
 21, Keongwai, German str., for Swatow.  
 21, Rajaburi, German str., for Hoihow.  
 21, Singan, British str., for Haiphong.  
 21, Teenkai, British str., for Shanghai.  
 21, Woolwich, British str., for Labuan.
- 22, Caledonien, French str., for Shanghai.  
 22, Ithaka, German str., for Takao.  
 22, Namsang, British str., for Shanghai.  
 22, Ragnar, Norwegian str., for Haiphong.  
 22, Telemachus, British str., for Shanghai.
- 23, Amara, British str., for Hongay.  
 23, Amigo, German str., for Hoihow.  
 23, Catherine Apcar, Brit. str., for Singapore.  
 23, Ellen Rickmers, Brit. str., for Bangkok.  
 23, Haiching, British str., for Coast Ports.  
 23, Helene, German str., for Swatow.  
 23, Hellas, German str., for Singapore.  
 23, Kaga Maru, Jap. str., for Seattle, &c.  
 23, Kwangtah, Chinese str., for Shanghai.  
 23, Linan, British str., for Hoihow.  
 23, Lothian, British str., for Shanghai.  
 23, Mandasan M., Jap. str., for Kuchinotzu.  
 23, Peiho, French str., for Yokohama.  
 23, Shaohsing, British str., for Swatow.  
 23, Taming, British str., for Manila.  
 23, Teenkai, British str., for Nagasaki.  
 23, Tonkin, French str., for Saigon.  
 23, Trieste, Austrian str., for Singapore.
- 24, Benledi, British str., for Nagasaki.  
 24, Glenstrae, British str., for Shanghai.  
 24, Hakata Maru, Jap. str., for Singapore.  
 24, Hikosan Maru, Jap. str., for Kuchinotzu.  
 24, J. Diederichsen, Ger. str., for Karatsu.  
 24, Paklat, German str., for Swatow.  
 24, Prometheus, British str., for Saigon.  
 24, Shansi, British str., for Shanghai.  
 24, Shoshu Maru, Japanese str., for Swatow.  
 24, Tjimahi, Dutch str., for Swatow.
- 25, Aldenham, Br. str., for Australian Ports.  
 25, Bangkok, German str., for Bangkok.  
 25, Devanha, British str., for Shanghai.  
 25, Kwongsang, British str., for Shanghai.  
 25, Mathilde, German str., for Haiphong.  
 25, Palermo, British str., for Singapore.  
 25, Reidar, Norwegian str., for Moji.  
 25, Telemachus, British str., for Saigon.

## PASSENGERS.

## ARRIVED.

Per *Choysang*, from Shanghai, &c., Mrs Hird  
 Per *Yochow* from Shanghai, Miss Langton.  
 Per *Yuensang*, from Manila, Messrs. Prescott  
 and Adams.  
 Per *Haita*, from Coast Ports, Messrs. Sales  
 and Mickle.  
 Per *Namsang*, from Calcutta, &c., Mr P.  
 A. Lawless.  
 Per *Singan*, from Haiphong, &c., Messrs. A.  
 W. Hunt and O. Conner.  
 Per *Kwongsang*, from Shanghai, &c., Miss  
 Whitehead and Mr. Lawson.  
 Per *Tjibodas*, from Macassar, Mr and Mrs  
 Sinni and child, and Mr R. Bode.  
 Per *Kumsang*, from Calcutta, &c., Capt. and  
 Mrs. Guldberg and Mr Marshall.  
 Per *Aldenham*, from Japan, Mr., Mrs and  
 Misses Kibble, Mrs. Brennan, Misses Hut-  
 chings, Messrs. Robertson and Schutts.  
 Per *Haiching*, from Coast Ports, Mr., Mrs  
 and Miss F. Dos Santos, Mrs Lafferty & child,  
 Mrs Gray, Mrs Ramsey, Messrs. O. Hori and  
 S. W. Wolfe.  
 Per *Zafiro*, from Manila, Mr. J. Romero, Mrs  
 S. McDougall, Miss J. Matias, Messrs. Vilha-  
 gen, Schneider, Chopard, W. Humphreys, E.  
 U. Penn, Wainwright and W. Chiver.  
 Per *Changsha*, from Australia, &c., Mr and  
 Mrs Biddome and son, Mrs Bremble, Misses L.  
 Rice and E. Tye, Messrs. E. W. Day, R. B. Fra-  
 ser, F. D. Lewis, W. Jackson & S. Thysmanakis.  
 Per *Taming*, from Manila, Mrs M. Russel,  
 Mrs V. Russel and child, Mrs A. Bonin, Miss  
 S. Samson, Messrs. P. Wirth, W. Wirth, M.  
 Ponce, I. R. Gutierrez, I. Perey, S. Brunetto,  
 R. Rastadchi, C. Carcia, P. Lomas, R. Garcia  
 and S. Dingamal.  
 Per *Monteagle*, from San Francisco, &c., Mr  
 and Mrs Rea and 3 children, Mrs B. Levy, Mrs  
 J. A. Hall and child, Mrs M. B. Macfarlane,  
 Miss Kealing, Messrs. J. L. Davis, P. D.  
 Colbert, R. D. Heins, R. E. O. Bird, W. G.  
 Kelso, H. B. Bridger and C. Field.  
 Per *Prinz Waldemar*, for Hongkong, from  
 Simpsonhafen, Mr H. Geisler, from Friedrich-  
 Wilhelmshafen, Messrs. A. Karlowa and N. P.  
 H. Wortel; from Manila, S. A. R. Duo de  
 Montpensier, Comte de Bernis, Comtesse de  
 Brioude, Capt. Edw. Hartrund, Messrs. Adel  
 Fernandez Arias, Pedro Garcia Tudela, Juan  
 Mantella de Rios and Vatin.  
 Per *Empress of Japan*, for Hongkong, from  
 Vancouver, Lt. Col. and Mrs R. Glover, Capt.  
 G. C. Dwyer, Rev. J. Rebull, Rev. J. M.  
 Briauco, Messrs. E. C. Davis, H. S. Irving and  
 J. Acheson; from Kobe, Messrs. H. Ashworth  
 Hope and C. V. Stephens; from Shanghai,  
 Judge and Mrs C. H. Smith, Dr. A. H. Chuing  
 and servant, Messrs. W. I. Conroy, C. Croft,  
 J. Klubion, Samuel S. Young and servant.  
 Per *Caledonien* for Hongkong, from  
 Marseilles, Mr and Mrs Normand, Mgr. Lavest,  
 Rev. P. Barriere, Rev. Besnier, and Mr Henri  
 Ferry; from Singapore, Mrs Wilfred, Messrs.  
 Durlung, Ruempol, S. Wealford and J. Oki;  
 from Saigon, Mr Togao; for Shanghai, from  
 Marseilles, Miss Paul; from Singapore, Mrs  
 Irlar and infant, Mrs Klity, and Mrs Legend;  
 from Saigon, Mrs C. Veillet, and Mr Perkins;  
 for Yokohama, from Marseilles, Messrs. Moret  
 and Vassal; from Singapore, Le Bris.  
 Per *Tonkin*, for Hongkong, from Shanghai.  
 Mr, Mrs and Miss Maher, Mr and Mrs Romero,  
 Mrs Costa and infant, Messrs. Hans Koch,  
 Turnould, Becker, G. Wieler, de Conty, Pereira,  
 Seligman, de Taillandier, Schwartz and Frigalin;  
 for Saigon, from Yokohama, Shigehito Okobna;  
 from Shanghai, Mrs Rebecca, Mrs Masaa  
 Mizumo, Miss Mary Blanch, Mr Cazeaux and  
 servant; for Singapore, from Kobe, Mr Hori  
 Gorokichi; from Shanghai, Messrs. Puga,  
 Eisenstark and Laporte; for Batavia, from  
 Yokohama, Mr Serrurier, and Miss Elizabeth  
 Goetz; for Bombay, from Yokohama, Messrs.  
 E. B. MacKenzie and Shouton; from Kobe, Mr  
 Turnvall; for Marseilles, from Yokohama, Mr  
 and Mrs Israel, Mr and Mrs Menil, and Baron  
 Preyre; from Kobe, Mr Benstrite; from Shang-  
 hai, Mr and Mrs Mercier, 2 children and amah,  
 Mr and Mrs Popoff and infant, Messrs. Marc  
 Dufaux, Duchamps, Auger, Arroman and  
 Dampierre.

Per *Devanha*, for Hongkong, from Singapore,  
 Mr and Mrs A. Ritchie and child, Messrs. G.  
 W. Sayer, P. J. Anderson and L. A.  
 Hargreaves; for Shanghai, from London,  
 Miss Goddard, Messrs. E. Godfrey and N. Field,  
 from Marseilles, Mr. and Mrs. Daval; from  
 Bombay, Messrs. K. Otani, K. Yamasaki and S.  
 E. Trig; from Singapore, Mr Teerathdas;  
 for Yokohama, from London, Capt. and Mrs  
 Craven and 2 children; from Marseilles, Mr H.  
 Hirst; from Fremantle, Mr S. Demeter; from  
 Bombay, Capt. E. Hogg; from Singapore,  
 Messrs. W. H. Rose and Commerman.

Per *Siberia*, from San Francisco via Ports,  
 Mr and Mrs B. D. Smith, Mrs E. H. Lavers,  
 Mrs J. Reubin, Misses Faith Brock, L. L.  
 Gibbs, L. M. G. Stenn and E. Nives Souza.  
 Capt. Fred. Rafen, Dr. O. Teague, Messrs. W.  
 C. Bunner, W. A. Burbank, W. S. Cookson, J.  
 K. Friedman, H. D. Fisher, J. Fitzpatrick, R.  
 J. Gill, H. Hall, J. J. Hunt, L. G. Jackson, J.  
 Mikol, S. A. Morgan, J. R. O'Connor, C. V.  
 Powers, R. J. Rose, J. Riebero, R. H. Smith  
 and J. T. Wells.

Per *Kawachi Maru*, from London, &c., for  
 Hongkong, Mrs Farmer, Miss D. Farmer,  
 Masters A. C. and J. Farmer, Messrs. W. Far-  
 mer, H. Beanrepaine, K. Faruya, J. Carter and  
 C. O. Athayae; for Kobe, Mr and Mrs W. H.  
 Cast, Master L. Cast, Mrs C. Okamoto, Messrs.  
 U. Ogawa, C. Curyugan, H. Takata and K.  
 Hayashi; for Yokohama, Mrs K. Tago, Messrs.  
 T. Ijuin and J. Firm.

Per *Hakata Maru*, from Japan, &c., for  
 Hongkong, Mr and Mrs Squires, Miss H. K.  
 Seymour, Masters R. W. and C. S. Squires,  
 Messrs. W. Y. Miller, H. E. Large, A. R.  
 Murphine, C. L. Rocheats, K. S. Bi, H. Doba-  
 shi and K. J. Ryn; for Singapore, Mr Shiots,  
 and Mrs I. Kajima; for Colombo, Messrs. H.  
 Sudo, T. Yoshida and H. H. Cox; for Marseilles,  
 Mr and Mrs Gubbins, Mr K. Sugura, Misses  
 H. Gubbins (2), M. Gubbins and Murison;  
 for London, Miss E. B. Seymour, Messrs. C.  
 Honda, T. Tsukamoto, S. Williamson, Wm.  
 McMillan, K. Yamaguchi, J. Logan & J. Heyer.

## DEPARTED.

Per *Rubi*, for Manila, Mrs Peyton Carter and  
 2 children, E. C. Hallman, A. Hefti, M. D.  
 Dixon, W. L. Bramwell, J. M. Surtzer, C.  
 Amas, W. Jones and E. B. K. Hunt.

Per *Aldenham*, for Australian Ports, Mr.,  
 Mrs and Misses (2) Kibble, Mrs Brennan,  
 Misses Francis and Hutchison (2), Messrs. E.  
 T. Garnier, H. H. L. Grainger, F. C. Kendall,  
 A. R. Murphine, J. S. Robertson & C. Tucker.  
 Per *Kaga Maru*, for Seattle, &c., Mrs  
 Gutters, infant and 2 servants, Messrs. D.  
 Wainwright, A. R. Paget, K. Tamnari, E.  
 Shaw, A. M. P. Vicat and S. Ogura.

Per *Hakata Maru*, for London, &c., Mr and  
 Mrs J. H. Gubbin, Mrs F. Okamoto, Mrs  
 Moriyama, Misses U. Gubbin, H. Gubbin, M.  
 Gubbin, G. B. Seymour, Morrison, I. Kashima,  
 Messrs. T. Sugura, Shiots; A. G. Williamson,  
 Honda, Tsukamoto, H. Ando, Yoshida, J. Heyer,  
 Wm. McMillan, H. K. Cox, C. Yamasaki, M.  
 Yamaguchi, James Logan and C. Takahashi.

Per *Caledonien*, for Shanghai, &c., Mrs Veil-  
 lat and baby, Mrs M. Tagneet, Mrs Hanson and  
 baby, Miss Paul, Messrs. Klity Moret, P. Van  
 Dupuy, J. V. Jorge, E. Halloway, J. M. P.  
 d'Accompas, W. Burmeister, H. Ferry, Teller,  
 Tel-genetsky, Legunul, Perkins, Vassal, Le  
 Bris, J. F. Hammersley, E. M. Banckham, W.  
 A. Miles and G. H. B. Foster.

Per *Tonkin*, for Marseilles, &c., Mr and Mrs  
 J. Dupont, Mr and Mrs Mercier and children,  
 Mr and Mrs Menil, Mr and Mrs Popoff & child,  
 Mrs M. Blanche, Misses O. Matuo, E. Goetz,  
 Konimé, Yagura, Ozahi and Canice, Capt.  
 Hurnvall, General Gonard, Messrs. S. Okahira,  
 M. Mizumo, Eisenstark, E. B. Mackenzie,  
 Benotrite, Duchamp, Arroman, J. S. White,  
 V. Kimpton, R. W. Marshall, C. Calone, E.  
 Fetard, J. M. Cornec, H. Pont, J. M. Feunteun,  
 C. Sérenneur, Ossin, J. Le Gall, Cazeaux, F.  
 Rebecca, Serourier, H. Gorobichi, Hugh,  
 Laporte, Shouton, B. Pieyre, M. Dufaux,  
 Auger, Dampierre, W. C. Jack, Mérécki,  
 Ramtooleh, J. G. Meurais, R. André, J.  
 Michel, A. Renault, G. A. J. Le Bara, F. Le  
 Braton, P. Brisset and L. M. Levier.

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